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Council Proceedings

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Bengal Legislative Council

Twenty-Seventh Session, 1927

13th and 14th December, 1927

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

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The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia, in charge of the following portfolios:—

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2. Land Acquisition.
3. Excluded Areas.
4. Jails.
5. Legislative.

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2. Immigration.
3. Jurisdiction.
4. Haj Pilgrimage.
5. Forests.
6. Irrigation.

BENGAL LEGISLATIVE DEPT. LIBRARY.

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2. Political, excluding Haj Pilgrimage.
3. Police.
4. Ecclesiastical.
5. Regulation of medical and other professional qualifications and standards, subject to legislation by the Indian Legislature.
6. Judicial.

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1. Finance.
2. Separate Revenue.
3. Commerce and Industrial subjects.
4. Marine.
5. European Education.

MINISTERS.

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1. Local Self-Government.
2. Agriculture and Industries (excluding Excise).
3. Public Works.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur, in charge of the following portfolios:—

1. Education (excluding European Education).
2. Excise.
3. Registration.

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PRESIDENT.

The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh.

DEPUTY PRESIDENT.

Khan Bahadur Maulvi EMADUDDIN AHMED, B.L.

Panel of Chairmen for the Twenty-seventh Sessions.

1. Maharaja SHASHI KANTA ACHARJYA CHAUDHURI, of Muktagacha, Mymensingh.
2. Dr. Sir DEVA PROSAD SARBADHIKARI, Kt., C.I.E., C.B.E.
3. Mr. W. L. TRAVERS, C.I.E., O.B.E.
4. Mr. M. ASHRAF ALI KHAN CHAUDHURI.

Secretary to the Council—J. BARTLEY, I.C.S.

Assistant Secretaries to the Council—A. M. HUTCHISON and K. N. MAJUMDAR.

Registrar to the Council—J. W. McKAY.

BENGAL LEGISLATIVE COUNCIL.

ALPHABETICAL LIST OF MEMBERS.

A

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh. (Dacca University.)
Afzal, Maulvi Syed Mahamud. [Bakarganj West (Muhammadan).]
Ahamad, Mauvi Asimuddin. [Tippera South (Muhammadan).]
Ahamad, Maulvi Kasiruddin. [Rangpur West (Muhammadan).]
*Ahmed, Khan Bahadur Maulvi Emaduddin. [Rajshahi South (Muhammadan).]
Ali, Maulvi Syed Nausher. [Jessore South (Muhammadan).]
Ali, Mr. Altaf. [Bogra (Muhammadan).]
Atiqullah, Mr. Syed Muhammad. [Mymensingh East (Muhammadan).]

B

Bagchi, Babu Romes Chandra. [Malda (Non-Muhammadan).]
Baksh, Maulvi Kader, B.L. [Dinajpur (Muhammadan).]
Banerjea, Dr. Pramathanath. [Calcutta East (Non-Muhammadan).]
Banerjee, Babu Promotha Nath [Midnapore South (Non-Muhammadan).]
Banerjee, Mr. A. C. [Calcutta South Central (Non-Muhammadan).]
Bannerjee, Babu Jitendralal. [Birbhum (Non-Muhammadan).]
Barton, Mr. J. F. (Bengal Chamber of Commerce.)
Basu, Babu Sasi Sekhar. [24-Parganas Rural South (Non-Muhammadan).]
Basu, Mr. P. C. [Burdwan South (Non-Muhammadan).]
Basu, Mr. Sarat C. [Burdwan North (Non-Muhammadan).]
Biswas, Babu Surendra Nath. [Faridpur South (Non-Muhammadan).]
Bose, Babu Bejoy Krishna. [Calcutta South (Non-Muhammadan).]
Bose, Mr. S. C. (Calcutta University.)
Bose, Mr. Subhas Chandra. [Calcutta North (Non-Muhammadan).]

C

Cassells, Mr. A. (Nominated official.)
Chakravarti, Babu Jogindra Chandra. [Dinajpur (Non-Muhammadan).]

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* Deputy President, Bengal Legislative Council.

Chakravarti, Mr. Byomkes. (Bengal National Chamber of Commerce.)
Chakraburtty, Babu Jatindra Nath. [Rangpur East (Non-Muhammadan).]
Chatterjee, Srijut Bijay Kumar. [Bankura West (Non-Muhammadan).]
Chaudhuri, Rai Harendranath. [24-Parganas Rural North (Non-Muhammadan).]
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, C.I.E., of Dhanbari. (Member, Executive Council.)
Choudhury, Maulvi Gholam Mawla. [Faridpur South (Muhammadan).]
Choudhury, Maulvi Khorshed Alam. [Bakarganj North (Muhammadan).]
Cohen, Mr. D. J. (Nominated Non-official.)
Cooper, Mr. C. G. (Indian Jute Mills Association.)

D

Das Gupta, Dr. J. M. [Calcutta Central (Non-Muhammadan).]
Datta, Babu Akhil Chandra. [Tippera (Non-Muhammadan).]
Datta, Babu Amulya Chandra. [Hooghly Municipal (Non-Muhammadan).]
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Drummond, Mr. J. G. (Nominated Official.)
Dutt, Babu Saral Kumar. [Bakarganj North (Non-Muhammadan).]
Dutt, Mr. G. S. (Nominated Official.)

E

Eddis, Mr. A. McD. (Bengal Chamber of Commerce.)

F

Faroqui, Khan Bahadur K. G. M. [Tippera North (Muhammadan).]
Forrester, Mr. J. Campbell. [Presidency and Burdwan (European).]

G

Ganguly, Babu Khagendra Nath. [Howrah Municipal (Non-Muhammadan).]
Ghose, Babu Amarendra Nath. [Mymensingh West (Non-Muhammadan).]
Ghose, Mr. M. C. (Nominated official.)

Ghosh Maulik, Babu Satyendra Chandra. [Noakhali (Non-Muhammadan).]
Ghuznavi, Hadji Mr. A. K. Abu Ahmed Khan. [Mymensingh South-West (Muhammadan).]
Goenka, Rai Bahadur Badridas. (Bengal Marwari Association.)
Gofran, Maulvi Abdul. [Noakhali West (Muhammadan).]
Guha, Mr. P. N. (Nominated Non-official.)
Gupta, Mr. Jogesh Chandra. [Dacca City (Non-Muhammadan).]

H

Habibulla, Nawab Khwaja. [Dacca City (Muhammadan).]
Haque, Khan Bahadur Maulvi Azizul. [Nadia (Muhammadan).]
Himatsingka, Babu Prabhu Doyal. [Calcutta West (Non-Muhammadan).]
Hoque, Kazi Emdadul. [Rangpur East (Muhammadan).]
Hosain, the Hon'ble Nawab Musharruf, Khan Bahadur. (Minister.) [Malda *cum* Jalpaiguri (Muhammadan).]
Husain, Maulvi Latafat. (Nominated Non-official.)
Husain, Maulvi Syed Maqbul. [Chittagong North (Muhammadan).]
Huq, Khan Bahadur Maulvi Ekramul. [Murshidabad (Muhammadan).]

I

Ismail, Khan Bahadur Maulvi Muhammad. [Mymensingh Central (Muhammadan).]

J

James, Mr. F. E., O.B.E. [Presidency and Burdwan (European).]

K

Karim, Maulvi Abdul. [Burdwan Division South (Muhammadan).]
Kasem, Maulvi Abul. [Burdwan Division North (Muhammadan.)]
Kellock, Mr. C. de M. (Indian Mining Association.)
Khan, Babu Debendra Lal. [Midnapore North (Non-Muhammadan).]
Khan Chaudhuri, Mr. M. Ashraf Ali. [Rajshahi North (Muhammadan).]
Khan, Khar Sahib Maulvi Muazzam Ali. [Pabna (Muhammadan).]
Khan, Maulvi Tamizuddin. [Faridpur North (Muhammadan).]
Khan, Mr. Razaur Rahman. [Dacca East Rural (Muhammadan).]

L

Lahiri, Mr. Basanta Kumar. [Nadia (Non-Muhammadan).]
Laird, Mr. R. B. (Indian Jute Mills Association.)
Lala, Babu Saroda Kripa. (Chittagong Landholders.)
Lindsay, Mr. J. H. (Nominated Official.)

M

MacBean, Mr. J. A. (Indian Tea Association.)
Maguire, Mr. L. T. (Anglo-Indian.)
Maiti, Babu Mahendra Nath. [Midnapore South-East (Non-Muhammadan).]
Marr, the Hon'ble Mr. A., C.I.E. (Member, Executive Council.)
Martin, Mr. O. M. (Nominated official.)
Mazumdar, Rai Bahadur Jadunath, C.I.E. [Jessore North (Non-Muhammadan).]
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Mitter, the Hon'ble Sir Provash Chunder, KT., C.I.E. (Minister.) (Presidency Landholders.)
Moberly, the Hon'ble Mr. A. N., C.I.E. (Member, Executive Council).]
Moitra, Srijut Jogendra Nath. [Bogra *cum* Pabna (Non-Muhammadan).]
Morgan, Mr. G. (Bengal Chamber of Commerce.)
Mukerjea, Srijut Taraknath. [Hooghly Rural (Non-Muhammadan).]
Mukerji, Mr. S. C. (Nominated Non-official.)

N

Nandy, Maharaj Kumar Sris Chandra. [Murshidabad (Non-Muhammadan).]
Nasker, Babu Hem Chandra. [24-Parganas Rural Central (Non-Muhammadan).]
Nazimuddin, Mr. Khwaja, C.I.E. [Bakarganj South (Muhammadan).]

O

Oaten, Mr. E. F. (Nominated Official.)
Ordish, Mr. J. E. [Dacca and Chittagong (European).]

P

Phelps, Mr. Trevor J. (Calcutta Trades Association.)
Philip, Mr. J. Y. (Bengal Chamber of Commerce.)
Poddar, Mr. Ananda Mohan. (Bengal Mahajan Sabha.)
Prentice, Mr. W. D. R. (Nominated Official.)

R

Rahim, Sir Abd-ur, K.C.S.I. [Calcutta North (Muhammadan).]
Rahman, Maulvi Azizur. [Mymensingh North-West (Muhammadan).]
Rahman, Maulvi Shamsur. [Khulna (Muhammadan).]
Rahman, Mr. A. F. (Nominated Non-official.)
Rahman, Mr. A. F. M. Abdur. [24-Parganas Rural (Muhammadan).]
Raikat, Mr. Prasanna Deb. [Jalpaiguri (Non-Muhammadan).]
Rauf, Maulvi Syed Abdur. [Jessore North (Muhammadan).]
Ray, Babu Nagendra Narayan. [Rangpur West (Non-Muhammadan).]
Ray, Babu Radha Gobinda. [Bankura East (Non-Muhammadan).]
Ray, Babu Surendra Nath. [24-Parganas Municipal South (Non-Muhammadan).]
Ray, Dr. Kumud Sankar. [Faridpur North (Non-Muhammadan).]
Ray, Maharaja Jogindra Nath, of Nator. (Rajshahi Landholders.)
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia. (Member, Executive Council.)
Ray Chaudhuri, Mr. K. C. (Nominated Non-official.)
*Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh. (Dacca Landholders.)
Reid, Mr. R. N. (Nominated Official.)
Roy, Babu Manmatha Nath. [Howrah Rural (Non-Muhammadan).]
Roy, Dr. Bidhan Chandra. [24-Parganas Municipal North (Non-Muhammadan).]
Roy, Mr. Bijoy Prasad Singh. (Nominated Non-official.)
Roy, Mr. D. N., Bar.-at-Law. [Jessore South (Non-Muhammadan).]
Roy, Mr. Kiran Sankar. [Dacca Rural (Non-Muhammadan).]
Roy Choudhuri, Rai Bahadur Satyendra Nath. [Bakarganj South (Non-Muhammadan).]

S

Sachse, Mr. F. A. (Nominated Official.)
Sadeque, Maulvi Mohamed. [Noakhali East (Muhammadan).]
Sanyal, Babu Sachindra Narayan. [Rajshahi (Non-Muhammadan).]

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* President of the Bengal Legislative Council.

Sarbadhikari, Dr. Sir Deva Prosad, KT., C.I.E., C.B.E. (Nominated Non-official.)

Sarker, Babu Naliniranjan. [Mymensingh East (Non-Muhammadan).]

Sarker, Rai Sahib Rebati Mohan. (Nominated Non-official.)

Sattar, Khan Sahib Abdus. [Chittagong South (Muhammadan).]

Sattar, Mr. Abdool Razak Hajee Abdool. [Hooghly *cum* Howrah Municipal (Muhammadan).]

Sen, Mr. Satish Chandra. (Bengal National Chamber of Commerce.)

Sen, Srijut Nagendra Nath. [Khulna (Non-Muhammadan).]

Sen Gupta, Mr. J. M. [Chittagong (Non-Muhammadan).]

Shah, Mr. Gholam Hossain. [24-Parganas Municipal (Muhammadan).]

Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur. (Burdwan Landholders.)

Skinner, Mr. S. A. (Bengal Chamber of Commerce.)

Solaiman, Maulvi Muhammad. [Barrackpore Municipal (Muhammadan).]

Stuart-Williams, Mr. S. C. (Nominated Official.)

Suhrawardy, Mr. H. S. [Calcutta South (Muhammadan).]

T

Tate, Major-General Godfrey, M.B., V.H.S., I.M.S. (Nominated Official.)

Thompson, Mr. W. H. (Bengal Chamber of Commerce.)

Travers, Mr. W. L., C.I.E., O.B.E. [Rajshahi (European).]

W

Wordsworth, Mr. W. C. [Presidency and Burdwan (European).]

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report of the Twenty-seventh Session.)

VOLUME XXVII.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 13th December, 1927, at 3 P.M.

Present:

The Hon'ble the President (Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council and the two Hon'ble Ministers and 122 nominated and elected members.

Oath or Affirmation.

The following members made an oath or affirmation of their allegiance to the Crown:—

Mr. A. CASSELLS.

Mr. M. C. GHOSE.

Mr. O. M. MARTIN.

Mr. J. F. BARTON.

Mr. P. N. GUHA.

Mr. BIJOY PRASAD SINGH ROY.

Mr. A. F. RAHMAN.

Babu RADHA GOBINDA RAY.

Obituary Reference.

Mr. PRESIDENT: Gentlemen of the Council, it has become the practice of the Council that on the opening day of a new session reference shall be made from the Chair to the deaths of past and present members of the Council which have taken place since the last meeting. Babu Umes Chandra Chatterjee, who died in October last, was a member of the Council from 1924 to 1926 and was re-elected to the present Council by the Bankura East (Non-Muhammadan) Constituency in December, 1926, and continued to be a member till September, 1927, when he resigned on account of failing health. He was an invalid and a cripple, but despite his physical disabilities and his bad health he attended nearly all the meetings of the Council from 1924 to 1926. We mourn his loss to-day and, with your permission, gentlemen, I propose to convey the condolence of the House to his bereaved family. I now request you, gentlemen, to show your respect to the memory of the departed gentleman by kindly rising in your places.

(The members then rose in their seats.)

Mr. PRESIDENT: Thank you, gentlemen. The Secretary will please take the usual action.

Panel of Chairmen.

Mr. PRESIDENT: In accordance with the provisions of Rule 3 of the Bengal Legislative Council Rules, 1920, I nominate the following members of the Council to form a panel of four Chairmen for the ensuing session:—

1. Maharaja SHASHI KANTA ACHARJYA CHAUDHURI of Muktagacha, Mymensingh.
2. Dr. Sir DEVA PROSAD SARBADHIKARI, Kt., C.I.E., C.B.E.
3. Mr. W. L. TRAVERS, C.I.E., O.B.E.

I will appoint another Chairman and will announce his name later on.

Unless otherwise arranged, the senior member among them present in the above order named will preside over the deliberations of this Council in my absence and in the absence of the Deputy President.

3-15 P.M.

Starred Questions

(to which oral answers were given).

Recruitment of Indians to the Indian Civil and Police Services.

*1. **Mr. E. T. McCLUSKIE:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether it is a fact that the Lee Commission recommended that out of the 50 per cent. of appointments to the Indian Civil Service and Imperial Police Service reserved for Indians, half should be recruited directly and the other half should be filled in by promotion of members of the Provincial Civil Services?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether this recommendation has been carried out in so far as appointment by promotion of members of the Provincial Civil Services is concerned? If not, why not?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) It is not fact. In the case of the Indian Civil Service, the Lee Commission recommended that of every one hundred recruits, 40 should be Europeans recruited directly, 40 should be Indians recruited directly, and 20 should be obtained by promotion from the Provincial Civil Services. In the case of Imperial Police Service, the Commission recommended that of every one hundred recruits, 50 should be Europeans recruited directly, 30 should be Indians recruited directly, and 20 should be obtained by promotion from the Provincial Services.

(*b*) Does not arise.

Sale of poisonous drugs by a local doctor of Ramnagar in Rampurhat.

*2. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether on or about the 21st of January last the Subdivisional Magistrate of Rampurhat, accompanied by the Circle Officer, went to the village of Ramnagar in order to inspect the dispensary of a local doctor named Babu Sarashijaksa Mookerjee?

(*b*) Is it a fact that a quantity of unlicensed poisonous drugs and phials bearing labels of such drugs were found by the above-mentioned officers at the said dispensary?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state what action was taken in the matter?

(*d*) Will the Hon'ble Member be pleased to state whether any licence has been granted to the doctor for the sale of poisonous drugs?

(*e*) If so, when was such licence granted?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) Yes.

(*b*) Yes.

(*c*) Babu Sarashijaksa Mookerjee applied immediately for a licence under the Poisons Act and no further action was taken against him.

(*d*) Yes.

(*e*) 12th February, 1927.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state if there was any special reason why the past offence of this unlicensed vendor of poisonous drugs was overlooked?

The Hon'ble Mr. A. N. MOBERLY: I must ask for notice of this question.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state whether any consideration passed—*i.e.*, any consideration in the shape of subscription ere the license was granted?

The Hon'ble Mr. A. N. MOBERLY: I must ask for notice of this also.

Diet allowance of Indians and Europeans in the Indian Mental Hospital at Ranchi.

***3. Mr. A. C. BANERJEE:** (*a*) Will the Hon'ble Minister in charge of Department of Local Self-Government be pleased to state whether it is a fact that in the Indian Mental Hospital at Kanke (Ranchi) ordinary Indian patients are allowed at 9 annas per head for diet whereas the allowance for the Europeans is Re. 1 per head?

(*b*) Has there ever been any representation made by the hospital authorities with regard to the insufficiency of the diet allowance for the Indians?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to lay the same on the table?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) Yes.

(*b*) No such representation has been received regarding the present diet allowance for Indians.

(*c*) Does not arise.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if he considers that 9 annas per day is sufficient in the case of persons suffering from mental diseases?

The Hon'ble Sir PROVASH CHUNDER MITTER: That is a matter of opinion.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if he is aware of any reason for this distinction between Indian and European patients in the same hospital?

The Hon'ble Sir PROVASH CHUNDER MITTER: I want notice of that. I must look into the papers.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if he is not aware at the present moment of any reason for the distinction.....

Mr. PRESIDENT: That question does not arise. The Hon'ble Minister has asked for fresh notice.

Pay and prospects of the ministerial officers of Bengal.

*4. **Srijut NAGENDRA NATH SEN:** With reference to the reply given to starred question No. 30 on the 23rd August, 1927, will the Hon'ble Member in charge of Department of Finance be pleased to state what action, if any, has been taken regarding the improvemnt of the pay and prospects of the ministerial officers of Bengal?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. A. Marr): Inquiries have been set on foot and the question is being further examined.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state how long Government will take over this inquiry?

The Hon'ble Mr. A. MARR: I cannot say.

Pay and prospects of the ministerial officers.

*5. **Maulvi SAMSUR-RAHMAN:** (*a*) With reference to the reply given on the 23rd August, 1927, to starred question No. 30, will the Hon'ble Member in charge of Department of Finance be pleased to state whether he has been able to consider fully the question of the improvement of the pay and prospects of the ministerial officers?

(*b*) If so, will the Hon'ble Member be pleased to state when the result of his consideration in this matter is likely to be published?

The Hon'ble Mr. A. MARR: (*a*) and (*b*) The question is still under the consideration of Government.

Promotion of the Lower Division Assistants of the Bengal Secretariat to the Upper Division.

*6. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of Department of Finance be pleased to state whether it is a fact—

(*i*) that, prior to 1910, all vacancies in the Upper Division of the Ministerial Staff of the Bengal Secretariat were open to the Lower Division assistants of that Secretariat; and

(*ii*) that, since 1910, only one-third of such vacancies have been open to them?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the circumstances which led to this change?

(*c*) Will the Hon'ble Member be pleased to lay on the table all the papers on the subject?

(*d*) Will the Hon'ble Member be pleased to state whether the promotion of any Lower Division assistant, who entered the Secretariat prior to 1910, was deferred on account of the subsequent introduction of the new rule?

(*e*) If the reply to (*d*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons why the rights of those assistants were not fully safeguarded when the new rule came into operation?

The Hon'ble Mr. A. MARR: (*a*) (*i*) No.

(*ii*) No. The percentage has varied, and it has been different as regards those recruited before 1910 and those recruited after that year.

(*b*) Does not arise.

(*c*) I am not prepared to lay the papers on the table, but I am prepared to explain the position to the hon'ble member personally.

(*d*) It is the case that the promotion of some assistants was delayed.

(*e*) The defect was subsequently remedied.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state what the percentage was before 1910, and what it is now?

The Hon'ble Mr. A. MARR: I am not quite sure about the figures. I must ask for notice of this.

Babu JITENDRALAL BANNERJEE: On a point of order, Sir, may I ask as regards these questions for which notice is asked by Hon'ble Members, whether the usual procedure is followed as regards answering them in the next session?

Mr. PRESIDENT: I think the rules provide that Members can ask for notice.

(The Secretary here called the next question.)

Babu JITENDRALAL BANNERJEE: May I ask if fresh notice can be treated as another supplementary question?

Mr. PRESIDENT: You cannot ask any more questions; you are too late; the Secretary has already called the next question.

Outlets in the Sara-Sirajganj Railway Line.

***7. Srijut JOGENDRA NATH MOITRA:** (*a*) Has the attention of the Hon'ble Member in charge of the Department of Public Works (Railways) been drawn to the irregularity of the floods in, and of the water-logged condition of, certain areas in the district of Pabna on account of insufficiency in the number of outlets in the Sara-Sirajganj Railway line?

(*b*) If so, are the Government considering the desirability of having more bridges opened up in the line?

MEMBER in charge of DEPARTMENT of PUBLIC WORKS (RAILWAYS) (the Hon'ble Mr. A. Marr): (*a*) Yes.

(*b*) 6,000 s. ft. of waterways have already been provided by the Railway since the flood of 1922, and it is understood that the Railway authorities will provide another 400 r. ft. of waterway near mile 153.

Appointment of Dafadar of Sultanpur Union Board in Brahmanbaria.

***8. Babu AKHIL CHANDRA DATTA:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether it is a fact that on the death of the dafadar of Sultanpur union board in Brahmanbaria thana in the district of Tippera, one Atul Chandra De was nominated by the union board but the nomination was not accepted and that one Lal Mohan De was appointed by the Superintendent of Police?

(*b*) Is it a fact that the attention of the Government was drawn to this matter by Srijut Akhil Chandra Datta, M.L.C., in a speech made in the Bengal Legislative Council on 16th February, 1926, and that a circular was issued by the Bengal Government (Circular Nos. 795-99 Pl., dated 22nd February, 1926) laying down that if the District Magistrate rejects the first nomination of the union board, he shall, before appointing another person, obtain a second nomination from the union board?

(*c*) Is it a fact that thereafter the union board was asked to make a second nomination?

(*d*) Is it a fact that the union board pointed out that Lal Mohan was unfit for the work on account of his tender age and nominated one Sarada Ghosh?

(*e*) Is it a fact that on this occasion also the nomination of the board was rejected and Lal Mohan was appointed by the District Magistrate?

The Hon'ble Mr. A. N. MOBERLY: (*a*) Yes.

(*b*) The member drew the attention of Government to the question of nomination. In the circular referred to Government directed that, in the circumstances indicated, a District Magistrate should either obtain a second nomination from the union board or give the board an opportunity of expressing their opinion on the appointment which he proposes to make and should consider the opinion.

(*c*) No. They were asked for their opinion on the appointment proposed by the Magistrate.

(*d*) Government are informed that the board failed to express an opinion, but sent a second nomination.

(*e*) Yes.

Babu AKHIL CHANDRA DATTA: Will the Hon'ble Member be pleased to state why this man Lal Mohan De was forced upon the unwilling Board, when the Board did not want him?

The Hon'ble Mr. A. N. MOBERLY: Because the Board failed to express the opinion for which they were asked.

Babu AKHIL CHANDRA DATTA: Will the Hon'ble Member be pleased to state whether it was a fact that the Board did not want him, and nominated another man?

The Hon'ble Mr. A. N. MOBERLY: Yes, it is a fact that they nominated another man, but they did not comply with the circular.

Appointment of Europeans and Anglo-Indians in the Bengal Secretariat Clerical Service.

*9. **Mr. E. T. McCLUSKIE:** (a) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether he is aware that an advertisement was published recently inviting applications from candidates to appear for a clerkship examination and stating that 14 out of the 23 vacancies are reserved for Muhammadans?

(b) Is it the policy of Government to reserve appointments for particular communities?

(c) If the answer to (b) is in the affirmative, will the Hon'ble Member be pleased to state whether a similar privilege will be extended to the Anglo-Indian and Domiciled European community?

The Hon'ble Mr. A. MARR: (a) Yes.

(b) A certain proportion of appointments in the clerical establishment of the Bengal Secretariat has been reserved for Muhammadans possessing the necessary qualifications. No such provision exists for other communities.

(c) Such a proposal is not in contemplation, but the rules provide for the selection of suitable Europeans or Anglo-Indians for the Upper Division of the Secretariat clerical service.

Babu KHAGENDRA NATH GANGULY: Will the Hon'ble Member be pleased to state what is the exact proportion of appointments specially reserved for Muhammadans possessing the adequate qualifications.

The Hon'ble Mr. A. MARR: As far as I remember, the proportion is one-third, one in three.

Nomination of Non-officials to the District Board of Dinajpur.

*10. **Maulvi KASIRUDDIN AHAMAD:** (a) Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state the number of non-official gentlemen who have been nominated to the District Board of Dinajpur this year?

(b) How many of such nominated members are Muhammadans?

(c) If no Muhammadans have been nominated, will the Hon'ble Minister be pleased to state the reasons for the same?

(d) What are the grounds for exclusion of the Muhammadan community altogether from nomination to the District Board of Dinajpur this year?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) 5.

(*b*) None.

(*c*) and (*d*) The Muhammadans had already secured by election more seats on the District Board than they are entitled to on the basis of their population and voting strength.

Maulvi KASIRUDDIN AHAMAD: Will the Hon'ble Minister be pleased to state the proportion to which Muhammadans are entitled on the strength of their population and voting strength?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have to ask for notice of this. It depends upon the population and the number of voters. I must look into the papers.

Maulvi KASIRUDDIN AHAMAD: Will the Hon'ble Minister be pleased to state what are the rules, regulations and circulars under which this question has been decided?

The Hon'ble Sir PROVASH CHUNDER MITTER: I must ask for notice of that.

Question of transferring some Colleges of East and North Bengal from the Control of the Calcutta University to that of the Dacca University.

***11. Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state whether it is a fact that attempts are being made to transfer some of the Colleges of East and North Bengal from the control of the Calcutta University to that of the Dacca University?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons therefor?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Nawab Musharruf Hosain, Khan Bahadur): (*a*) and (*b*) No. Such a suggestion has been made in connection with an inspection of the work of the Dacca Board of Intermediate and Secondary Education. Government have not endorsed the proposal.

Babu JITENDRALAL BANNERJEE: Do I understand that Government are still considering the proposal, or that it has been definitely turned down?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: As I have stated in my answer, Government have not endorsed the proposal.

Dr. PRAMATHANATH BANERJEA: Is it a fact that the Dacca Board of Intermediate and Secondary Education has been pronounced a failure by a recent Committee?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I want notice of this question.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state who was the officer in charge of the inspection work referred to in his answer?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Messrs. Barrow and West.

Mr. S. C. BOSE: When was this suggestion made by those two officers?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: About a year or more ago.

Mr. S. C. BOSE: Was that a mere suggestion, or a definite proposal?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: A mere suggestion.

Mr. S. C. BOSE: If it was a mere suggestion, will the Hon'ble Minister be pleased to state what he meant when he said that Government had not endorsed the proposal?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: If it was a proposal, Government would have considered it. But being a suggestion, Government have not endorsed it.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if that suggestion which he has described as "a mere suggestion" was made in earnest or in jest?

Mr. PRESIDENT: That is no question, Mr. Bose, and I cannot allow it.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state whether this "mere suggestion" of these officers was made as the result of a hint given by the Department?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I want notice of this.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if the suggestion has been embodied in any report, and, if so, the date of the report?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I want notice of that as well.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state the year in which that suggestion was made?

Mr. PRESIDENT: That question does not arise. The Hon'ble Minister has asked for notice.

Provision for Waiting-rooms and Raised Platforms in the Sara-Sirajganj Railway.

***12. Srijut JOGENDRA NATH MOITRA:** (*a*) Has the attention of the Hon'ble Member in charge of the Department of Public Works (Railways) been drawn to the following inconveniences in the Sara-Sirajganj Railway lines—

(*i*) hardship to the passengers, particularly to the females, from not opening a Flag Station at the Bhangura Ghât on the River Baral;

(*ii*) great inconvenience to the female passengers from not providing waiting-rooms in all stations; and

(*iii*) from not providing raised platforms in most of the stations?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of drawing the attention of the authorities of the Eastern Bengal Railway to the inconveniences at an early date?

The Hon'ble Mr. A. MARR: (*a*) (*i*) No.

(*ii*) Yes.

(*iii*) Yes.

(*b*) No. This is a matter which may be referred to the Advisory Committee of the Eastern Bengal Railway.

Srijut JOGENDRA NATH MOITRA: Is the Hon'ble Member aware that several representations have been made by the local people?

The Hon'ble Mr. A. MARR: No.

Nominated Members of the Khulna District Board.

***13. Maulvi SHAMSUR-RAHMAN:** (*a*) Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state when the last election of the members of the Khulna District Board was held?

(b) When did the Commissioner send in his nomination of members for the first time for approval to the Government?

(c) When were the names of the elected and nominated members gazetted?

(d) Is it a fact that the District Magistrate of Khulna reported that out of the four nominated candidates two are unfit to be members of the District Board?

(e) Is it a fact that those two candidates have still been nominated?

(f) If so, will the Hon'ble Minister be pleased to state the reason therefor?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a) Government have no information.

(b) On 4th February, 1927.

(c) On 23rd June, 1927.

(d), (e) and (f) These questions refer to confidential matters which it is not in the public interest to disclose.

Maulvi SHAMSUR-RAHMAN: Will the Hon'ble Minister be pleased to state why there was such delay? The nomination was made on the 4th February, but Government only published the names on the 23rd June?

The Hon'ble Sir PROVASH CHUNDER MITTER: That is covered by answers (e) and (f). It was before my time, and I am not familiar with it.

Expenditure for the Criminal Investigation Department and the Calcutta Police in certain years.

***14. Srijut TARAKNATH MUKERJEA:** Will the Hon'ble Member in charge of the Police Department be pleased to lay a statement on the table showing—

(i) the total amount of expenditure for the Criminal Investigation Department in Bengal in 1920, 1922, 1924 and 1926; and

(ii) the total amount of expenditure for the Calcutta Police in 1920, 1922, 1924 and 1926?

The Hon'ble Mr. A. N. MOBERLY: It is regretted that a statement showing expenditure for calendar years cannot be compiled from available materials without an expenditure of time and labour which would not be justified. The expenditure for each financial year up to 1925-26 is published in the Civil Budget Estimates.

Representation for closing of High Schools and Colleges in the month of "Ramzan."

***15. Maulvi KASIRUDDIN AHAMAD:** (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state whether a representation for closing the High English Schools and Colleges in the month of *Ramzan* (fasting season) has been submitted to the Government by the Rangpur Muhammadan Association?

(*b*) If so, what is the decision of the Government on the said representation?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (*a*) Yes.

(*b*) No action was taken in the matter as it was considered desirable that college and school vacations should occur at approximately the same dates each year.

Posting of Muhammadan Officers in the District of Rangpur.

***16. Maulvi KASIRUDDIN AHAMAD:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether it is a fact that at present there is not a single Muhammadan officer placed in the district of Rangpur occupying any of the following posts, *viz.*, District Judge, District Magistrate, Subordinate Judges, Subdivisional Officers, Superintendent of Police, or Munsifs?

(*b*) What are the reasons for not posting Muhammadan officers to some of these posts?

The Hon'ble Mr. A. N. MOBERLY: (*a*) Yes. It is to be noted, however, that both the Additional Superintendent and the Deputy Superintendent of Police are Muhammadan officers.

(*b*) There are only three Muhammadans in the grade of District and Sessions Judge, one in the grade of Magistrate and Collector, and four in the grade of Superintendent of Police, and it is not practicable, or in the opinion of Government expedient, to lay down that any particular district should be reserved for Muhammadans, or that each district should have specified proportions of Muhammadan and Hindu officers.

Recruitment to the Superior Appointments ordinarily held by Members of the Indian Civil Service from among the Ranks of the Provincial Civil Service.

***17. Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state what steps, if any, have been taken for the recruitment of 20 per cent.

of the superior appointments ordinarily held by members of the Indian Civil Service from among the ranks of the Provincial Civil Service?

(*b*) Is it a fact that kanungoes are not promoted to be Sub-Deputy Magistrates, and that Sub-Deputy Magistrates are not promoted to be Deputy Magistrates if they are over forty years of age?

(*c*) Will the Hon'ble Member be pleased to state whether there is any age-restriction as regards the promotion of Deputy Magistrates as District Magistrates?

(*d*) Will the Hon'ble Member be pleased to lay on the table a statement showing for the last five years the age (with names) at which Deputy Magistrates promoted to be District Magistrates have been confirmed as District Magistrates?

The Hon'ble Mr. A. N. MOBERLY: (*a*) According to the sanctioned programme, 22 superior posts are to be filled from the Provincial Civil Service and the Bar, nine on the Executive side and thirteen on the Judicial, five of the latter being filled from the Bar. Up to date six posts on the Executive side and ten on the Judicial have been filled, four of the latter from the Bar.

(*b*) Yes, save in exceptional circumstances.

(*c*) No.

(*d*) A statement is laid on the table.

Statement referred to in the reply to clause (d) of starred question No. 17.

Year.	Name of Deputy Magistrates.	Date of birth.	Date of confirmation as Magistrate.	Age on date of confirmation.
				Y. M. D.
1922 ..	Mr. Debendra Kumar Mitra.	4th February 1870.	3rd March 1922	52 1 27
1923 ..	Mr. Braja Durlabh Hajra	4th September 1869.	1st July 1923	53 9 27
	Rai Jyotish Chandra Sen Bahadur.	19th December 1872.	8th November 1923.	50 10 20
	Rai Atul Chandra Datta Bahadur.	6th May 1870	1st December 1923.	53 6 26
	Rai Kumud Bandhu Das Gupta Bahadur.	23rd July 1872	4th September 1924.	52 1 12
	Mr. L. B. Burrows ..	12th March 1883	2nd October 1924.	41 6 21
1925 ..	Rai Hem Chandra Chatarji Bahadur.	1st July 1871	6th May 1925	53 10 5
1926 ..	Nil.	....	....	....
1927 ..	Mr. Saiyid Abdus Salik	11th April 1872	1st January 1927.	54 8 20
	Mr. Nagendra Chandra Sen.	1st July 1872	11th April 1927	54 9 10
	Mr. Satyendra Nath Das	15th August 1872.	11th May 1927	54 8 26

Babu JITENDRALAL BANNERJEE: Is it one of the unwritten rules of the Department that Deputy Magistrates should never be promoted to District Magistrateships, unless and until they are near the age of superannuation?

The Hon'ble Mr. A. N. MOBERLY: No.

Dr. BIDHAN CHANDRA ROY: Why is it that Mr. L. B. Burrows became a District Magistrate at the age of 41, whereas all other Indian members got it at a much later age, considering that Indians have a shorter period of life?

The Hon'ble Mr. A. N. MOBERLY: Mr. Burrows was appointed to the Bengal Civil Service in the old days before the re-partition and was appointed direct to Rs. 500 grade in the same way as another distinguished member of that service, Mr. J. N. Roy. Therefore, he took place above many others senior to him.

Babu JITENDRALAL BANNERJEE: There are nine appointments on the Executive side; why is it that only six have been filled?

The Hon'ble Mr. A. N. MOBERLY: The programme has been spread over 15 years.

Separation of Judicial and the Executive Services and their Functions.

***18. Srijut TARAKNATH MUKERJEA:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state what steps have been taken, up to date, to give effect to the scheme for the separation of the Judicial and the Executive Services and their functions?

(*b*) Is it a fact that a Special Officer was deputed in 1923-24 to work out the cost of the scheme, etc.?

(*c*) If the answer to (*b*) be in the affirmative, will the Hon'ble Member be pleased to place on the table a copy of the report submitted by the Special Officer?

The Hon'ble Mr. A. N. MOBERLY: (*a*) A scheme has been prepared and submitted to the Government of India, whose orders are still awaited.

(*b*) Yes.

(*c*) No. The scheme cannot be placed before the Legislative Council until the Secretary of State's orders thereon are received.

Rai HARENDRANATH CHAUDHURI: When was the scheme prepared by the Government of Bengal and sent to the Government of India for orders?

The Hon'ble Mr. A. N. MOBERLY: In 1923, I believe.

Rai HARENDRANATH CHAUDHURI: It is now before the Government of India or the Secretary of State?

The Hon'ble Mr. A. N. MOBERLY: I am unable to furnish that information.

Rai HARENDRANATH CHAUDHURI: Was the scheme prepared on the lines of the report of the Greaves Committee?

The Hon'ble Mr. A. N. MOBERLY: I am unable to say anything about the scheme.

Babu AKHIL CHANDRA DATTA: What is the justification of maintaining secrecy about the scheme until it is finally approved by the Secretary of State?

The Hon'ble Mr. A. N. MOBERLY: There are orders that matters under correspondence with the Government of India and the Secretary of State should be treated confidentially.

Maulvi ABUL KASEM: Is it not a fact that in 1906 a scheme was prepared and submitted to the Government of India, and the then Home Member, Sir Harvey Adams, made a statement that it would be carried out immediately?

The Hon'ble Mr. A. N. MOBERLY: I am afraid I cannot say.

Mr. JOGESH CHANDRA GUPTA: How many more years, after these six years of deliberation, is it considered necessary for this scheme to be considered?

The Hon'ble Mr. A. N. MOBERLY: I am afraid I cannot say.

Recruitment of Anglo-Indians in the Calcutta Police.

***19. Mr. E. T. McCLUSKIE:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether promotion in the Calcutta Police in the grade of Inspector or appointment to that grade is dependent on selection or seniority?

(*b*) How many of the 21 European Inspectors mentioned in his reply to my question No. 98 (unstarred) at the meeting of the 25th August last are domiciled Europeans?

(*c*) How many of the 11 Europeans employed in the Mounted Police are domiciled Europeans?

(*d*) Is there any bar to suitable Anglo-Indians being recruited to the Mounted Police?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons for the bar?

The Hon'ble Mr. A. N. MOBERLY: (*a*) Promotion in the grade is automatic, pay being regulated by a time scale. Promotion to posts carrying special allowances is made by selection. Appointment to the grade is made according to merit, seniority being taken into consideration.

(*b*) 15.

(*c*) 7.

(*d*) No.

(*e*) Does not arise.

Khulna-Jessore Road.

***20. Srijut NAGENDRA NATH SEN:** Will the Hon'ble Minister in charge of the Department of Public Works be pleased to state whether it is in the contemplation of the Government to provincialise that portion of the Khulna-Jessore-Calcutta road which lies between Jessore and Khulna?

MINISTER in charge of DEPARTMENT of PUBLIC WORKS (the Hon'ble Sir Provash Chunder Mitter): No.

Voting of Official Members.

***21. Srijut TARAKNATH MUKERJEA:** Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether Government have issued any instructions that the official members of this Council should always vote *en bloc*?

The Hon'ble Mr. A. N. MOBERLY: No such instructions have been issued.

Acceptance of Office as Chairman of District Boards and Municipalities by Government Pleaders and Public Prosecutors.

***22. Babu JOGINDRA CHANDRA CHAKRAVARTI:** (*a*) Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state when the Circular Nos. 2151-2155 L.S.-G., laying down the policy of the Government in the matter of acceptance of office as Chairman of a district board by a Government servant including Government pleaders and public prosecutors was issued?

(*b*) Is it the intention of the Government that the same policy should be followed in the municipalities as in the district boards, in the matter of election of Government servants, including Government pleaders and public prosecutors, as Chairman?

(*c*) Has any Circular similar to that mentioned in (*a*) been issued laying down the same policy in respect of election of Government servants as Chairman of municipalities?

(*d*) Has there been any change of policy made by the Government since the said Circular was issued, making the election of Government pleaders and public prosecutors practically unrestricted?

(*e*) Has any new Circular been issued substantially modifying the previous one?

(*f*) If the answers to (*d*) and (*e*) are in the affirmative, will the Hon'ble Minister be pleased to state whether the change took place during the absence of the Ministry or after the formation of the present Ministry?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) On the 6th June, 1927.

(*b*) and (*c*) Yes.

(*d*) and (*e*) A copy of Circular Nos. 290-94 T.—L.S.-G., dated the 12th October, 1927, is laid on the table.

(*f*) During the absence of the Ministry.

Circular referred to in the reply to clauses (d) and (e) of starred question No. 22.

Nos. 290-94 T.—L.S.-G., dated Darjeeling, the 12th October, 1927.

From—The Secretary to the Government of Bengal, Local Self-Government Department,

To—All Commissioners of Divisions.

I am directed to invite a reference to Mr. Dash's Circular Nos. 2151-2155 L.S.-G., dated 6th June, 1927, explaining the attitude of Government towards the acceptance of office as Chairman of a district

board by a Government servant. In paragraph 4 of that letter it was stated that the eligibility of Government pleaders and public prosecutors would be subject to the same conditions as that of whole-time salaried officials.

2. It has now been decided that so far as Government pleaders and public prosecutors are concerned Government will not insist on the condition that the members of the district board should be practically unanimous. Government are prepared to approve such elections even if the successful candidate for the chairmanship has been elected by a bare majority only. Approval will, however, be withheld if the other conditions are not fulfilled, *i.e.*, if the gentleman in question is not particularly well-fitted for the post and is unable to do full justice to it without detriment to his official duties. A Government pleader or a public prosecutor will further have to obtain the approval of the Magistrate-Collector before becoming a candidate for the chairmanship.

3. It is obvious that in this respect no distinction should be drawn between district boards and municipalities. I am, therefore, to add that the Circular Nos. 2151-2155 L.S.-G. of 6th June, 1927, as modified in the present circular, states the attitude of Government towards the acceptance of office by a Government servant or by a Government pleader or public prosecutor who is elected Chairman of a municipality.

Pay and Prospects of the Ministerial Officers of Bengal.

*22. **Maulvi AZIZUR RAHMAN:** (*a*) With reference to the reply given on the 23rd August, 1927, to starred question No. 30, will the Hon'ble Member in charge of the Department of Finance be pleased to state whether any favourable decision has been arrived at to increase the pay and prospects of the ministerial officers of Bengal?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state from which date it will be given effect to?

The Hon'ble Mr. A. MARR: (*a*) and (*b*) The question is still under the consideration of Government.

3-30 P.M.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state how long it will take the Government to consider the matter?

The Hon'ble Mr. A. MARR: I cannot say.

Recruitment of Europeans in the Education Department.

***24. Babu NALINIRANJAN SARKER:** (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state whether any European has been recruited in the Education Department of Bengal since the introduction of the Reforms?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the name of such officer,

(*ii*) his pay, and

(*iii*) the conditions under which he has been appointed?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (*a*) Yes.

(*b*) A statement furnishing the desired information is placed on the table. The statement refers only to officers of European domicile.

Statement referred to in the reply to clause (b) of starred question No. 24 of Europeans recruited since the introduction of the Reforms.

No.	Name and designation	Date of first appointment	Service or scale.	Present pay.
1	Mr. R Wolfenden, Professor of Mechanical Engineering, Bengal Engineering College.	16-2-21	Indian Educational Service	Rs. 1,050, *plus* £ 30 as overseas pay.
2	Mr. F. W. Allum, Professor of Civil Engineering, Bengal Engineering College.	1-6-26	A temporary post created for 3 years on Rs. 1,000—50—1,100.	Rs. 1,000. (He has resigned.)
			Rs.	Rs.
3	Miss C. M. Macmillan, Language Mistress, Dow Hill Girls' School, Kurseong.	1-7-23	400—20—600	480
4	Miss R. Perlzweig, Mistress of Mathematics and Science, Dow Hill Girls' School, Kurseong.	21-4-27	400—20—600	400
5	Miss E. Foster, Mistress of Science and Mathematics, Dow Hill Girls' School, Kurseong.	8-9-23	350—20—550	430

No.	Name and designation.	Date of first appointment.	Service or scale.	Present pay.
			Rs.	Rs.
6	Miss M. E. Sherman, First Music Mistress, Dow Hill Girls' School, Kurseong.	21-3-22	250—10—350	300
7	Miss E. W. Poulter, French Mistress, Dow Hill Girls' School, Kurseong.	17-1-25	350—20—550	She has left her appointment.
				Rs.
8	Mr. T. D. Nugent, Science Master, Victoria Boys' School, Kurseong.	1-3-24	400—25—700	550
9	Mr. T. W. Clark, English Master, Victoria Boys' School, Kurseong.	8-3-25	400—25—700	450

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state how many Europeans have been recruited in the Education Department of the Government of Bengal since the introduction of the Reforms?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I want notice of this question.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state how the pay of Mr. T. D. Nugent, No. 8 of the statement, is at present Rs. 550, if the gentleman in question started on a salary of Rs. 400, with an increment of Rs. 25 a year, in 1924?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I want notice of this question.

Election of Chairman of the Murshidabad District Board.

*25. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that Rai Surendra Narain Sinha Bahadur was elected Chairman of the Murshidabad District Board as far back as the 28th August, 1926?

(*b*) Is it a fact that, in spite of such election, the outgoing Chairman, Maharaja Manindra Chandra Nandi Bahadur of Cossimbazar, was permitted to act as Chairman of the newly-constituted Board for eleven months longer without his being nominated or elected to the office?

(*c*) Will the Hon'ble Minister be pleased to state the reasons for this procedure?

(*d*) Is it a fact that, after the election of Rai Surendra Narain Sinha Bahadur, three members of the Murshidabad District Board filed a petition before Mr. J. N. Gupta, Commissioner of the Presidency Division, questioning the validity of the meeting where such election was held?

(*e*) Did the District Magistrate of Murshidabad hold any inquiry into the matter and submit any report?

(*f*) If so, will the Hon'ble Minister be pleased to lay on the table a copy of the report?

(*g*) Is it a fact that the election of Rai Surendra Narain Sinha Bahadur has been set aside by the Government?

(*h*) If so, what are the reasons?

(*i*) Was Rai Surendra Narain Sinha Bahadur elected Chairman at the same meeting with the Vice-Chairman of the District Board?

(*j*) Have the Government set aside the election of the Vice-Chairman as well?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Yes.

(*b*) Yes.

(*c*) As the validity of the election of the Rai Bahadur, as Chairman of the District Board, was called in question, the old Chairman was allowed by the Commissioner to carry on the administration of the District Board until a decision was arrived in the matter.

(*d*) Yes.

(*e*) Yes.

(*f*) Government are unable to comply with this request for administrative reasons.

(*g*) Yes.

(*h*) On the ground of irregularities in the proceedings.

(*i*) Yes.

(*j*) Yes.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Minister be pleased to state what are the administrative reasons referred to in his answer to question (*f*)?

The Hon'ble Sir PROVASH CHUNDER MITTER: The matter is a confidential one. As it happened before my time, I am not very familiar with the facts.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Minister be pleased to state whether it is the usual rule that when an old Chairman's term of office has expired, he is still permitted to carry on?

The Hon'ble Sir PROVASH CHUNDER MITTER: So far as I am aware, the Act does not provide for such a situation. As I have already said, the matter was dealt with before my time, and I am not familiar with it.

Qualifications of "Mistership" and "Esquireship," etc., for persons in Government Service.

***26. Srijut TARAKNATH MUKERJEA:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state what are the requisite qualifications of "Mistership" and "Esquireship" for persons in Government service?

(*b*) Do the Government recognise any distinction in the use of the prefixes "Mister," "Babu" and "Maulvi"?

(*c*) If the answer to (*b*) is in the affirmative, will he be pleased to state what are the distinctions?

(*d*) Is it a fact that the provincial service officers designated as "Maulvi" or "Babu," when promoted to act or officiate even for a short time in the Imperial Service, are styled as "Mister," but lose their "Mistership" as soon as they revert to the Provincial Service?

(*e*) If the answer to (*d*) is in the affirmative, are the Government considering the desirability of taking steps to abolish this distinction and to observe uniformity in designation with regard to all gazetted officers, irrespective of caste, creed or colour?

The Hon'ble Mr. A. N. MOBERLY: (*a*) to (*c*) The application of the prefix "Mr." and of the affix "Esq." in preference to Maulvi or Babu is determined by the place of education, style of living, and personal wishes of the individual concerned. Indian officers promoted to listed posts on the cadres of the I.C.S. and I.P.S. or who have been educated in Europe or have adopted European customs are ordinarily called "Mr."

(*d*) Yes, this is ordinarily the case. But in 1926 in consequence of a representation made by the Bengal Civil Service Association (Executive) Government decided not to use "Mr." in future in the case of officers of the Provincial Service (Executive) hereafter appointed to officiate in listed posts until they are confirmed.

(*e*) No. The present practice has been followed for sometime, and in the absence of definite evidence that the members of the different services concerned wish the matter to be re-examined, no change is contemplated.

Proposal of making Sanskrit optional in Secondary Schools.

*27. **Rai HARENDRANATH CHAUDHURI:** (*a*) Is the Hon'ble Minister in charge of the Department of Education aware that the revised and unified draft syllabuses of studies for the Government and Government-aided Secondary Schools of East and West Bengal proposing to make Sanskrit an optional subject for Hindu students have given rise to much concern among the Hindu public?

(*b*) What other steps, if any, besides publication in the *Calcutta Gazette*, have been taken to ascertain the opinion of the Hindu public?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (*a*) Government are aware that the question of optional Sanskrit is one that has given rise to considerable controversy. The draft syllabus is, however, in line with the new Matriculation Regulations submitted by the University of Calcutta.

(*b*) Publication in the *Gazette* for public criticism seems to Government an adequate method of consulting public opinion. A big volume of opinions on the draft syllabus has been received, and these are now being considered.

Rai HARENDRANATH CHAUDHURI: Is that big volume of opinion favourable to, or opposed to, making Sanskrit optional?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Some are in favour, while others are not.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state how long the matter is to remain under consideration before any decision is arrived at?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: It will not take much time.

Mr. JOGESH CHANDRA GUPTA: I want to know what is meant by "much time" according to the Hon'ble Minister?

Damodar Canal Scheme and scarcity of water in Asansol.

*28. **Mr. BIJOY PROSAD SINGH ROY:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether it has been ascertained that the completion of the Damodar Canal Scheme at Panagarh will improve irrigation in the Sadar and Kalna subdivisions of the Burdwan district?

(*b*) Is it a fact that it will ensure better supply of water in the Eden Canal and thereby benefit other districts in addition to Burdwan?

(*c*) Is it a fact that the Asansol subdivision suffers more frequently from scarcity of water?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state whether the Government propose to extend the scheme to give relief to Asansol, if possible, and to examine the possibility of other schemes in that area?

MEMBER in charge of DEPARTMENT of IRRIGATION, (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari) : (*a*) Yes.

(*b*) Yes: the Hooghly district will also benefit.

(*c*) Yes.

(*d*) No: the Asansol subdivision lies at too high a level to be served by the Canal: only one case has as yet been brought to notice in which a small canal may do good: the supply of water in the streams in this subdivision is as a rule too small to irrigate any substantial area.

Quartering Additional Police in the Thanas of Bakarganj and Nalchiti.

*29. **Maulvi ABDUL KARIM:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state in detail the nature of the occurrences, if any, with their dates, which led to the imposition of additional constables on 212 villages in the district of Bakarganj by a notification in the *Calcutta Gazette*?

(*b*) Is that order still in force?

(*c*) If so, how long is it going to be maintained?

(*d*) What has been the cost hitherto of the imposition of such additional constables?

(*e*) Is it intended to realise the cost from the inhabitants of the villages concerned?

The Hon'ble Mr. A. N. MOBERLY: (*a*) Additional police were quartered in the thanas of Bakarganj and Nalchiti in consequence of the following among other incidents:—

(*1*) Disobedience of orders under section 144, Criminal Procedure Code, at Bakarganj on the 7th February, 1927.

(*2*) Reports of rape and assault on women—February, 1927.

(*3*) Desecration of places of worship about 7th and 13th March, 1927.

(4) Dacoity committed by a band of about fifty members of one community in the house of a member of another—9th February, 1927.

(5) The formation of unlawful assemblies in February, 1927, at Baichandi and Ponabalia.

(b) No.

(c) Does not arise.

(d) Rs. 10,924.

(e) Yes.

Maulvi ABDUL KARIM : Will the Hon'ble Member be pleased to state whether the reports of rape and assault on women—February 1927—were verified and found to be true?

The Hon'ble Mr. A. N. MOBERLY : I imagine that they were, but I have no definite information.

Maulvi ABDUL KARIM : Will the Hon'ble Member be pleased to state whether the guilty persons were put on trial and convicted?

The Hon'ble Mr. A. N. MOBERLY : I submit that this question does not arise.

Railway Platform at Siliguri on Eastern Bengal Railway.

***30. Mr. E. T. McCLUSKIE:** (a) Is the Hon'ble Member in charge of the Department of Public Works (Railways) aware that the work of raising the broad-gauge side of the railway platform at Siliguri will take about two years to complete?

(b) If so, are the Government considering the desirability of taking steps for the use of step ladders to enable ladies and children to get in and out of the carriages and save the inconvenience to which they are put?

(c) Are the Government considering the desirability of making similar arrangements at other stations on the Eastern Bengal Railway where the platform is not on a level with railway carriages?

The Hon'ble Mr. A. MARR: (a) Yes.

(b) and (c) There is an Advisory Committee to whom the matter may be referred.

Graba Bhil.

***31. Babu JATINDRA NATH CHAKRABURTY:** With reference to the reply given to my unstarred question No. 52 on the 28th February, 1927, will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether the Government are making inquiry as to the necessity of excavating the "Graba bhil"?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI Khan Bahadur, of Dhanbari: It has been ascertained that the Graba bhil is the same as the Tograi bhil mentioned in the Rungpur Gazetteer. It is less than 3 square miles in area and its drainage seems to be a matter for the District Board rather than for the Irrigation Department. The Chairman of the District Board has reported to the Collector that no such scheme was ever put up before the Board for consideration.

Mohurrirs in the Bengal Secretariat.

***32. Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to lay on the table a statement showing—

(*i*) the names of each mohurrir working at present in each of the departments of the Bengal Secretariat; and

(*ii*) their educational qualifications, length of service and age?

(*b*) Have they or any of them officiated in the general line of clerks in the Lower Division?

(*c*) Have any of them been doing the routine work of the Lower Division assistants?

(*d*) Will the Hon'ble Member be pleased to lay on the table the names of mohurrirs who have been promoted to the general line clerks in the Lower Division from 1915 to 1924 with their educational qualifications?

(*e*) Will the Hon'ble Member be pleased to state whether there is any scheme for the improvement of the pay and prospect of these mohurrirs?

The Hon'ble Mr. A. MARR: (*a*) (*i*) and (*ii*) and (*b*) A statement is laid on the table.

(*c*) Mohurrirs are called upon to do routine work on occasions when pressure of work demands extra assistance.

(*d*) A statement is laid on the table.

(*e*) The reply is in the negative.

Statement referred to in the reply to clauses (a) and (b) of starred question No. 32.

	Local Self-Government Department.	Finance Department.	Revenue Department.	Agriculture and Industries Department.	Education Department.	Judicial and Political Departments.	Public Works Department.	Irrigation Department.
(a) (i)	(1) Babu Amulya Krishna Ghosh (2) Babu Surath Kumar Mazumdar.	(1) Babu Surendra Nath De. (2) Babu Dhirendra Nath Bose. (3) Ashutosh Das. (4) Jitendra Nath Chatterji.	Babu Sashi Bh Ghosh	Babu Monmotha Nath Ghosh	Babu Biswa N. Roy.	(1) Babu Lakshy N. Shaha. (2) Babu Tincori Chatterji. (3) Kalidhon Chakrabarty.	(1) Babu Sailendra N. Mukherji. (2) Md. Basarat Ali.	Babu Ashutosh Ghosh.
(a) (ii)	(1) Non-Matriculate First appointment in the Secretariat. 11th November, 1924 Age 27 years 4 months (2) Read up to B A First appointment in the Secretariat. 4th August, 1921. Age 30 years 4 months.	(1) Non Matriculate 14 years 9 months (2) Non-Matriculate 14 years. (3) Non-Matriculate. 13 years 9 months (4) Non-Matriculate 4 years (1) Age 36 years 2 months. (2) Age 36 years. (3) Age 34 years 4 months (4) Age 33 years 2 months	Age 36 years 7 months Service 15 years 7 months Read up to the Entrance class.	Read up to the Entrance standard of the Calcutta University Service 20 years 4 months Age 39 years 4 months	Read up to I A. Service 9 years 1 month Age 34 years 4 months	(1) Read up to 4th Class Service 21 years 4 months Age 37 years 4 months (2) Read up to 3rd Class Service -21 years 4 months. Age 37 years 4 months (3) Read up to 4th Class. Service -16 years 4 months. Age 37 years 4 months.	(1) Possesses no University certificate. Service -8 years 7 months. Age 34 years 4 months. (2) Possesses no University certificate. Service--2 years 10 months. Age about 45 years 10 months.	I. Sc. (Calcutta University) Length of service--4 years 8 months. Previous service as temporary clerk for about 1 year 4 months. Age 24 years 10 months.
(b)	(1) No. (2) Yes.	Yes. Nos (1), (2) and (3) officiated in the Lower Division of the Secretariat from time to time.	No.	Yes.	Yes	No.	Yes, No. (1) has officiated in the general line of clerks in the Lower Division in leave vacancies.	Yes, but it has been discontinued since August, 1925.

Statement referred to in the reply to clause (d) of starred question No. 32.

	Local Self-Government Department.	Finance Department.	Revenue Department.	Agriculture and Industries Department.	Education Department.	Judicial and Political Departments.	Public Works Department.	Irrigation Department.
(d)	Babu Jatindra Nath Goswami; non-Matriculate.	None ..	No such case in the Revenue Department	None ..	The late Babu Bijoy Krishna Mukherji, read up to the Entrance standard.	There has been no such promotion.	In the Public Works Secretariat, M. Habibar Rahman (since deceased) was permanently promoted from muharrir to Lower Division from 5th January, 1926. He possessed no University certificate.	Nil.

Contributions from Bengal to the Indian Mental Hospital at Kanke (Ranchi).

*33. **Mr. A. C. BANERJEE:** (a) Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state what has been so far the total cost of the establishment of the Indian Mental Hospital at Kanke (Ranchi) and the contribution towards it by the Government of Bengal?

(b) What is the recurring cost of maintenance of the said hospital and the contribution towards it by the Government of Bengal?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a) Approximately Rs. 22,72,408 and Rs. 17,04,305.

(b) The average recurring cost is approximately Rs. 5,52,260 of which the Bengal Government's share is Rs. 4,14,196.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Minister be pleased to state whether the Indian Mental Hospital at Kanke is meant for natives of this province or of other provinces as well?

The Hon'ble Sir PROVASH CHUNDER MITTER: The proportion of patients is three from Bengal and one from Bihar and Orissa.

Dr. KUMUD SANKAR RAY: Will the Hon'ble Minister be pleased to state the number of patients treated in that hospital?

The Hon'ble Sir PROVASH CHUNDER MITTER: I cannot say. I must ask for notice of this question as I have not the information with me.

Paying and Non-paying Patients in the Indian Mental Hospital at Kanke (Ranchi).

*34. **Mr. A. C. BANERJEE:** (a) Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that the paying patients in the Indian section of the Indian Mental Hospital at Kanke (Ranchi) apart from being given separate rooms, are not segregated from the non-paying patients?

(b) What arrangement is made for segregating paying from non-paying patients so far as the Europeans are concerned?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a) Patients in the Indian Mental Hospital are given separate rooms or separate wards for their accommodation, but are not in other respects segregated from

well-behaved patients of the non-paying class, nor is it in accordance with medical opinion that they should be so segregated. As, however, it is considered that such patients are entitled to superior accommodation proposals for constructing a separate block for them have been put forward and are under discussion between the Government of Bengal and the Government of Bihar and Orissa.

(*b*) The European Mental Hospital is an entirely separate institution. Here again, there is no segregation, but paying patients are housed in separate wards.

Nomination of Muhammadan Members of the District Board of Khulna.

***35. Maulvi ABUL KASEM:** (*a*) Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that three Musalmans have been nominated as members of the District Board of Khulna in preference to the Musalman gentlemen recommended by the District Magistrate and the Commissioner of the Division?

(*b*) If so, will the Hon'ble Minister be pleased to state the reasons therefor?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) and (*b*) These questions refer to confidential matters which it is not in the public interest to disclose.

Indianisation of the Provincial Police Service.

***36. Srijut TARAKNATH MUKERJEA:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state how far the recommendations of the Lee Commission have been given effect to in Bengal, with regard to the question of the Indianisation of the Provincial Police Service?

(*b*) How many Deputy Superintendents, direct and departmental, have been promoted to the rank of Imperial Police Service Officers in Bengal, since the recommendations of the Commission?

The Hon'ble Mr. A. N. MOBERLY: (*a*) Since 1925 15 appointments have been made to the I.P.S., 13 by direct recruitment and 2 by promotion from the B.P.S. Five of the former and 2 of the latter appointments, *i.e.*, 7 in all have been filled by Indians, as compared with 8 by Europeans.

(*b*) Two.

Pasteur Institute of Calcutta.

***37. Dr. KUMUD SANKAR RAY:** (*a*) Will the Hon'ble Minister in charge of the Department of Local Self-Government (Public Health) Department be pleased to state what arrangements are provided for the accommodation of the persons coming from the mufassal for the treatment of rabies at the Pasteur Institute of Calcutta?

(*b*) What is the rate of diet allowance paid to patients undergoing treatment of rabies at the Pasteur Institute of Calcutta?

(*c*) Is any separate allowance paid for house rent to patients coming from outside?

(*d*) If so, what is the amount?

(*e*) Are the Government aware of the considerable hardship caused to the patients from outside in finding suitable lodging places in Calcutta, while under treatment?

(*f*) Are the Government considering the desirability of removing the hardship by providing residential quarters for the treatment of these patients?

(*g*) Are the Government aware that there is no arrangement for treatment of such cases in the existing hospitals of Calcutta?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (PUBLIC HEALTH) (the Hon'ble Sir Provash Chunder Mitter): (*a*) None.

(*b*) The allowances paid to indigent patients from the mufassal who are unconnected with the public service are as follows:—

Europeans and Anglo-Indians—Rs. 2-8

Indians—Annas 8

(*c*) No.

(*d*) Does not arise.

(*e*) Government have no information

(*f*) No. Indoor treatment is not needed as a rule.

(*g*) Patients requiring indoor treatment are admitted into the Medical College Hospitals.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state the reasons, if any, for the difference in the allowances granted to indigent Europeans and Anglo-Indians and indigent Indians?

The Hon'ble Sir PROVASH CHUNDER MITTER: The reason, so far as I am aware, is due to the difference in the kind of food.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if the difference in the food accounts for a difference of Rs. 2 in the allowance?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have not examined the matter yet, but I think that is the reason.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if the question of rank or status or colour comes into the question of allowance?

The Hon'ble Sir PROVASH CHUNDER MITTER: I think not.

Establishment of the Commissioners for the Port of Calcutta.

***38. Babu NALINIRANJAN SARKER:** Will the Hon'ble Member in charge of the Marine Department be pleased to lay on the table a statement showing the number of appointments maintained on the establishment of the Commissioners for the Port of Calcutta carrying respectively salaries of—

(*i*) Rs. 1,000 or over per month;

(*ii*) from Rs. 500 to Rs. 1,000 per month; and

(*iii*) from Rs. 250 to Rs. 500 per month,

showing separately the appointments held by Indians and by Europeans (including Anglo-Indians) under each of these heads?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. A. Marr): The following statement shows the figures of the permanent staff:—

Permanent staff.	Rs. 500—1,000.	Rs. 1,001—1,500.	Over Rs. 1,500.
Europeans	52	38	16
Anglo-Indians (statutory natives of India) ..	58	9	3
Indians	8	....	....

Posts on salaries of less than Rs. 1,000 which do not reach Rs. 1,000 at any stage in the grade are not within the cognizance of the local Government.

3-45 P.M.

Maulvi ABUL KASEM: Will the Hon'ble Member be pleased to state why is it that there are no Indians in the higher grades? Are there any qualifications that are absolutely to be found in Europeans and not in Indians?

The Hon'ble Mr. A. MARR: I cannot say.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state whether these figures provide another striking proof of the rapidity with which the services are being Indianised?

(No answer.)

Grant to Madrasahs:

*39. **Maulvi ABDUL KARIM:** With reference to the reply given to unstarred question No. 53 on the 24th August last, will the Hon'ble Minister in charge of the Department of Education be pleased to state whether the question of an increased grant to the Madrasahs, both senior and junior, has been decided?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: A definite proposal has been made by the department for an increased grant.

Mr. S. C. BOSE: Will the Hon'ble Minister for Education be pleased to state when that definite proposal was made?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: The proposal was made some six months ago.

Mr. S. C. BOSE: Will the Hon'ble Minister for Education be pleased to state if that definite proposal is in writing?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Yes.

Mr. S. C. BOSE: Will the Hon'ble Minister for Education be pleased to place that definite proposal on the table?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: The proposal is not before us here: it is in the file; if the hon'ble member will come to the Secretariat, I can show it to him.

Mr. S. C. Bose: The Hon'ble Minister has not understood my question, I am afraid. Might I put it in a simpler form?

Mr. PRESIDENT: I heard the Hon'ble Minister say that if you would come to the Secretariat, he could show you the papers.

Mr. SUBHAS CHANDRA BOSE: Does the Hon'ble Minister know the nature of the proposal? Will he kindly state what the proposal is?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Yes; the proposal is to have an increased grant for these Madrasahs to the extent of Rs. 20,000.

Muhammadan Teachers in Aided Schools.

***40. Maulvi ABUL KASEM:** (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state whether it is a fact that a circular was issued by the Education Department laying down as a rule that in all aided schools there should be a certain proportion of Muhammadan teachers other than vernacular masters?

(*b*) If so, will the Hon'ble Minister be pleased to state in how many schools in Bengal this rule has been observed?

(*c*) What is the total number of aided high schools in the Presidency at present?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (*a*) No. Inspectors were, however, directed to do their best to remedy obvious inequities, in cases where many Moslem boys attend any particular school.

(*b*) Does not arise.

(*c*) 488, on 31st March, 1927.

Mr. S. C. BOSE: Will the Hon'ble Minister for Education be pleased to state which officer or officers in the Education Department directed the Inspectors to do their best to remedy obvious inequities?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: The Director of Public Instruction.

Mr. S. C. BOSE: Will the Hon'ble Minister for Education be pleased to state when they were so directed?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Before my time.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if he is or is not aware of the year in which they were so directed?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: No.

Provident Fund Scheme for the Teachers of Secondary Schools.

*41. **Maulvi ABDUL KARIM:** Will the Hon'ble Minister in charge of the Department of Education be pleased to state when the Provident Fund Scheme for the teachers of secondary schools will be given effect to?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: It is proposed to give effect to the Government Provident Fund Scheme for teachers in non-pensionable service from the 1st January, 1928.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister for Education be pleased to state what is the nature of this Government Provident Fund scheme?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I ask for notice.

Mr. S. C. BOSE: Will the Hon'ble Minister for Education be pleased to state when that scheme was passed?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I ask for notice.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if that scheme is in writing?

(No answer.)

Mr. SUBHAS CHANDRA BOSE: Are we to take it that the Hon'ble Minister for Education is not aware of the nature of the scheme?

Mr. PRESIDENT: That question has already been answered.

Officers in the Indian Educational Service.

*42. **Babu NALINIRANJAN SARKER:** (a) Will the Hon'ble Minister in charge of the Department of Education be pleased to state the total number of officers in Bengal who are at present serving in the Indian Educational Service?

(b) How many of them are Europeans and how many Indians?

(c) What is the latest time when the juniormost European officer of the Indian Educational Service will in the ordinary course retire?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (*a*) 44 (including 1 temporary officer and 4 Bengal Educational Service officers who are officiating in the Indian Educational Service).

(*b*) Europeans, 23; Indians, 21.

(*c*) April, 1946.

Mr. S. C. BOSE: Will the Hon'ble Minister for Education be pleased to state during how many years these 21 Indians were appointed to the Indian Educational Service?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I would ask for notice.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Minister be pleased to state whether he is prepared to follow the recommendations of the Lee Commission in the matter of recruitment of Indians to the Indian Educational Service?

Mr. PRESIDENT: I think your question is broader than the main question itself. It does not arise at all. I do not allow the question.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Minister be pleased to state how many appointments in the Indian Educational Service have been made during the last three years?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: There has been no recruitment during the last three years.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Minister be pleased to refer to another question in answer to which he has given the number of appointments made in the Indian Educational Service?

(No answer.)

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state how many Europeans were appointed to the Indian Educational Service during the last seven years, and how many Indians?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I would ask for notice.

Privilege Leave to the Provincial Judicial Officers.

*43. **Babu JATINDRA NATH CHAKRABURTTY:** (*a*) Is the Hon'ble Member in charge of the Judicial Department aware that the Association of the Provincial Judicial officers has applied to the Government for sanction of fifteen days' privilege leave on full pay every year?

(*b*) If so, what action, if any, are the Government taking in this matter?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) Yes.

(*b*) The matter is under consideration.

Maulvi ABUL KASEM: Will the Hon'ble Member be pleased to state if it is not a fact that in 1916 Sir Henry Wheeler made a statement to the Bengal Legislative Council that Judicial officers would have 15 days' privilege leave in the year, as against 30 days granted to Executive officers?

The Hon'ble Mr. A. N. MOBERLY: I do not know.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Member be pleased to state when the application was first received?

The Hon'ble Mr. A. N. MOBERLY: I do not know.

Policy of the Sericulture Department.

*44. **Mr. S. C. BOSE:** (*a*) Is the Hon'ble Minister in charge of the Department of Agriculture and Industries aware that the Bengal Retrenchment Committee remarked that "the former policy of the department did substantial good, and in the interests of economical administration we recommend that it be reverted to"?

(*b*) Will the Hon'ble Minister be pleased to state what steps, if any, have been taken by the Government for the purpose of giving effect to the recommendation of the Bengal Retrenchment Committee?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Sir Provash Chunder Mitter): (*a*) Yes.

(*b*) As the Retrenchment Committee had misunderstood the position and the system recommended by them was already part of the policy of Government, there was no need for Government to take any further steps in the matter.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state what he means by saying that the Retrenchment Committee has misunderstood the position?

The Hon'ble Sir PROVASH CHUNDER MITTER: The answer is quite clear. The exact nature of the recommendation will appear in the Retrenchment Committee's Report. Unfortunately, I have not got a copy of the Report with me here, but if Mr. Bose will refer to it he will find the exact meaning.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state what is the policy of Government in this matter?

The Hon'ble Sir PROVASH CHUNDER MITTER: The main policy is the distribution of disease-free cocoon seeds.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if it is not a fact that the Retrenchment Committee suggested various retrenchments in the different departments?

The Hon'ble Sir PROVASH CHUNDER MITTER: That is a general question. It was long before my time and, without looking at the Report of the Committee, I cannot answer.

Mr. S. C. BOSE: May I ask if any retrenchment has been made since the Report of the Retrenchment Committee was received?

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes; a good deal.

Mr. S. C. BOSE: May I know how many officers have come under the axe of retrenchment?

The Hon'ble Sir PROVASH CHUNDER MITTER: I cannot answer without notice.

Superintendent of Sericulture, Bengal.

***45. Mr. S. C. BOSE:** (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture and Industries be pleased to state whether it is a fact that the increment of pay of the present Superintendent of Sericulture, Bengal, was stopped about one year before he was promoted to his present position?

(*b*) If so, on what grounds was the increment stopped?

(c) Will the Hon'ble Minister be pleased to state—

(i) whether Miss Cleghorn, a Superintendent of Sericulture, has any sericultural training; and

(ii) whether the Bengal Retrenchment Committee of 1923 recommended the abolition of the post of Miss Cleghorn?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a) The increment of pay of the present Superintendent of Sericulture, Bengal, was stopped for a period of about 8 months in 1920.

(b) There are no records to show on what grounds this was done.

(c) (i) Yes.

(ii) Yes.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if there is anyone in his department who can give information as to why the increment of pay of this officer was stopped?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have already answered the question; there are no records.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state if this is within the personal knowledge of any officer of the department?

The Hon'ble Sir PROVASH CHUNDER MITTER: I cannot answer without notice.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if it is not a fact that in the Report of the Retrenchment Committee itself the statement appears that Miss Cleghorn was a person of no sericultural attainment?

Mr. PRESIDENT: I cannot allow this question.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state the sericultural qualifications of Miss Cleghorn?

The Hon'ble Sir PROVASH CHUNDER MITTER: I want notice.

Mr. SUBHAS CHANDRA BOSE: Will the Hon'ble Minister be pleased to state if the records ever existed, or they have disappeared?

The Hon'ble Sir PROVASH CHUNDER MITTER: I want notice.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state why the recommendation of the Retrenchment Committee, that the post of Miss Cleghorn should be abolished, was not given effect to by the Government?

The Hon'ble Sir PROVASH CHUNDER MITTER: I want notice, as it was long before my time.

4 P.M.

Unstarred Questions

(answers to which were laid on the table).

Deaths from Kala-azar and Malaria in the 24-Parganas.

1. Mr. A. F. M. ABDUR-RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Department of Local Self-Government (Public Health) be pleased to lay on the table a statement showing the number of deaths by Kala-azar and Malaria, during the last three years in the district of the 24-Parganas?

(*b*) What steps have the Government taken in this matter?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) A statement is laid on the table.

(*b*) Government make grants every year to District Boards, the Central Co-operative Anti-Malaria Society, and the Bengal Health Association to help them in combating these diseases.

Statement referred to in the reply to clause (a) of unstarred question No. 1.

The figures asked for in (*a*) are as follows:—

Deaths from Malaria.—1924, 19,579; 1925, 11,948; 1926, 11,399.

Deaths from Kala-azar.—1924, 831; 1925, 2,325; 1926, 2,513.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Minister be pleased to state the amounts that were given to the different bodies in the years 1924, 1925 and 1926?

Surplus Fees on account of Paper-books.

2. **Mr. A. F. M. ABDUR-RAHMAN:** Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement showing for the years from 1921 to 1926

(*i*) the appeals in the Calcutta High Court in which the surplus of fees deposited on account of cost of paper-books amounted to Rs. 300 or more after the actual expenditure;

(*ii*) the dates on which the paper-books in the respective cases were filed;

(*iii*) the dates when the accounts were finally adjusted in each case; and

(*iv*) the dates when the refund of the surplus fee was actually made over to the parties concerned?

The Hon'ble Mr. A. N. MOBERLY: This information can be supplied only after an immense amount of labour and research such as is out of all proportion to its value or utility, and Government do not feel justified in asking the High Court to undertake the work involved in its compilation.

Dismissal of Children Employees by the Managers of Several Jute Mills at Kankinarrah.

3. **Mr. K. C. RAY CHAUDHURI:** (*a*) Is the Hon'ble Member in charge of the Department of Commerce aware of the fact that the Managers of several Jute Mills at Kankinarrah have recently dispensed with the services of a large number of children to avoid maintenance of the prescribed Employment Register and prosecution under the Indian Factories Act?

(*b*) Is there any connection between these dismissals and the Factory Inspector's demand for complete abolition of the Multiple Shift?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. A. Marr): (*a*) No. The dismissal of children would not affect the maintenance of the prescribed Employment Registrar. Registers are enforced for all persons employed in a factory.

(*b*) No.

Supply of Literature on the League of Nations to Schools.

4. Babu SACHINDRA NARAYAN SANYAL: (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state whether it is a fact that two circulars have been issued by the Inspector of Schools, Presidency Division, dated the 7th January, 1927, and 23rd May, 1927, respectively, enjoining the head-masters of all Government and aided High English Schools of that Division to direct History teachers to give lessons on the aims and objects of the League of Nations?

(*b*) Is it a fact that along with the circular letter, dated the 7th January, a book entitled "The League of Nations," by D. G. E. Hall and J. M. Sen, published by Messrs. Macmillan & Co., and priced Rs. 1-12, was sent to the school authorities with a request that teachers "should give lessons on the book"?

(*c*) Is it a fact that the said Mr. J. M. Sen still holds or held an office under the Inspector of Schools of the Presidency Division when any of the above-mentioned circulars were issued?

(*d*) Will the Hon'ble Minister be pleased to state whether it is the intention of the authorities that lessons are to be given *only* on that book?

(*e*) Is the Hon'ble Minister aware that authoritative and first-hand informations on the activities of the League of Nations have been written by Mr. Ramananda Chatterjee in the *Modern* and *Prabasi* and cheap pamphlets have, from time to time, been issued for sale by the information section of the League wherein the aims, objects and activities of the League are very clearly explained?

(*f*) If the answer to (*e*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for non-inclusion of those magazines and pamphlets for guidance of school teachers?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (*a*) Yes, except that instructions were given in the second circular only.

(*b*) Yes, except that the instructions were given in the circular of May, 1927.

(*c*) Yes. He wrote the book when a Professor in the David Hare Training College, at the request of the Department. The circular enjoining the use of the book was issued at the instance of this Department.

(*d*) No. Teachers are encouraged to go outside their text-books for information on the subject of their lessons.

(*e*) Government are aware that the articles and pamphlets referred to exist.

(*f*) Government have under consideration the question of the supply of supplementary literature on the League of Nations to schools; the question of the non-inclusion of any particular existing literature does not therefore yet arise.

Extension of Service to Government Servants of the Secretariat and Attached Offices.

5. **Maulvi MOHAMED SADEQUE:** Will the Hon'ble Member in charge of the Department of Finance be pleased to lay on the table a statement showing, year by year, for the last 5 years—

(*i*) the number of Government servants in each of the departments in the Secretariat and attached offices who applied for extension of their services;

(*ii*) the number of Muslim applicants amongst them;

(*iii*) the number of applicants referred to in (*i*) who were granted an extension of service;

(*iv*) the number of Muslim applicants who were granted an extension of service;

(*v*) the number of officers referred to in (*iii*) who were granted extensions more than once; and

(*vi*) the number of Muslim officers, if any, amongst those referred to in (*v*)?

The Hon'ble Mr. A. MARR: The information is not readily available and the preparation of it would, in the opinion of Government, involve time and labour incommensurate with its value when obtained.

Budget Provision for the Increase of Junior Madrasahs.

6. **Mr. A. F. M. ABDUR-RAHMAN:** Will the Hon'ble Minister in charge of the Department of Education be pleased to state why no provision has been made in the Budget for 1927-28 for the increase of Junior Madrasahs in Bengal under the new scheme?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: There is already provision in the Budget for 1927-28 for grants to Junior Madrasahs. The question of increased provision is under consideration of Government.

Memorial of the Employees of the Electrical Division of the Public Works Department.

7. **Babu AMARENDRA NATH GHOSE:** (*a*) Is the Hon'ble Minister in charge of the Department of Public Works aware that the employees of the Electrical Division of the Public Works Department submitted a memorial to the local Government in 1926 stating their grievances?

(*b*) Will the Hon'ble Minister be pleased to state the remarks of Mr. Jacob (then Executive Engineer) and those of the Superintending Engineer on the aforesaid memorial?

(*c*) What decision, if any, have the Government arrived at on the said memorial?

(*d*) Do the Government propose to do anything to mitigate the hardship of the employees of the Electrical Division of the Public Works Department? If not, why not?

The Hon'ble Sir PROVASN CHUNDER MITTER: (*a*) The "work-charged" employees of the Electrical Division submitted a representation in the year 1926.

(*b*) and (*c*) Their prayers could not be granted under the standing orders of the Department.

(*d*) Government are prepared to do anything to mitigate any hardship of the employees of the Electrical Division, so long as it is in accordance with Government rules.

Benefits of Pension and Provident Fund not allowed to the Electrical Division of the Public Works Department.

8. **Babu AMARENDRA NATH GHOSE:** (*a*) Will the Hon'ble Minister in charge of the Department of Public Works be pleased to state whether it is a fact that the employees of the Electrical Division of the Public Works Department do not get the benefits of pension or of the provident fund allowed in other departments of Government service?

(*b*) Is it a fact that there are men in the Electrical Division who have a record of more than 15 years of service?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state the number of such employees?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) No, so far as the employees of the permanent establishment are concerned.

(*b*) Yes.

(*c*) 26.

Booking Arrangement at Sirajganj Ghât.

9. Babu AMARENDRA NATH CHOSE: (*a*) Is the Hon'ble Member in charge of the Marine Department aware that there is one window in the flat attached to the steamer station, Sirajganj Ghât, for the booking of all classes of passengers of each line?

(*b*) Is the Hon'ble Member also aware that this arrangement has resulted in inconvenience to the passengers, specially the females?

(*c*) If so, are the Government considering the desirability of taking any steps in the matter?

The Hon'ble Mr. A. MARR: (*a*) There are three windows to the booking office of the flat *Tigris*. One is used for the mail and ferry service, one for the feeder service, and one for the booking of luggage. These are used by both lines.

(*b*) No.

(*c*) No.

Professor of Physiology in the Calcutta Medical College.

10. Mr. A. C. BANERJEE: (*a*) Is the Hon'ble Minister in charge of the Department of Local Self-Government aware that in the Calcutta Medical College the permanent Professor of Physiology retired on 30th June last?

(*b*) Is the Hon'ble Minister also aware that a retired I.M.S. man who has taken up private practice has been appointed to the post without the post being advertised or applications for it invited?

(*c*) Is it a temporary arrangement?

(*d*) Is it a fact that this post is reserved for a non-I.M.S. man?

The Hon'ble Sir PRDVASH CHUNDER MITTER: (*a*) Lieut.-Colonel MacGilchrist, Professor of Physiology, Medical College, Calcutta, retired from the appointment with effect from the 24th May, 1927.

(*b*), (*c*) and (*d*) The post ceased to be considered as one reserved for I.M.S. in the beginning of February, 1925, when Major Shorten, I.M.S., who was holding this appointment, went on leave preparatory to retirement. The appointment was then advertised and applications were invited with a view to appoint the best candidate available. Lieut.-Colonel MacGilchrist, I.M.S., was selected out of twenty applicants, as he was considered to be the most suitable candidate available and he was appointed to this post with effect from 10th February, 1925. His tenure expired on 23rd May, 1927, the date on which he retired

from the I.M.S. As the ordinary tenure of professorial appointments in the Medical College is 5 years, Government decided some months ago to re-employ Lieut.-Colonel MacGilchrist with the permission of the Government of India, so as to enable him to complete his term of 5 years.

Dr. BIDHAN CHANDRA ROY: Will the Hon'ble Minister be pleased to state why, if the post ceased to be considered reserved for Indian Medical Service officers in the beginning of February, 1925, Colonel MacGilchrist was appointed on the 10th February, 1925, although he held another position on that date?

The Hon'ble Sir PROVASH CHUNDER MITTER: The answer gives the reasons.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Minister be pleased to state who considered the applications, and who made the selection?

The Hon'ble Sir PROVASH CHUNDER MITTER: I must ask notice of this question.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Minister be pleased to state whether the applications were ever considered by the new Minister?

The Hon'ble Sir PROVASH CHUNDER MITTER: It was before my time. I want notice.

Question of segregating Incorrigible Prisoners.

11. Babu AMULYA CHANDRA DATTA: Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state—

(*i*) what are the practical difficulties referred to in the recent resolution regarding Jail Administration in the way of the complete segregation of incorrigible prisoners from those upon whom they are likely to have a bad influence; and

(*ii*) what are the probable expenses for effecting it?

Member in charge of Political (JAILS) DEPARTMENT (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur, of Nadia): (*i*) The chief difficulties are financial.

Complete segregation of incorrigible offenders involves the constructing of separate prisons for them and a great increase in the staff of warders to take the place of convict officers. These measures would entail very heavy non-recurring and recurring expenditure. The construction of existing jails does not allow complete segregation.

(*ii*) No estimate has yet been drawn up.

Pay of the Clerks of the Calcutta Offices under the Local Government.

12. Babu JITENDRALAL BANNERJEE: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether it is a fact that the Ministerial Officers' Salaries Committee appointed by Lord Ronaldshay's Government in 1920, in recommending the pay to be fixed for the clerks of the Calcutta offices under the local Government, took into consideration the pay of the clerks of the Post Offices in Calcutta and of the office of the Accountant-General, Bengal?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a statement showing the pay (with average cost) of the -

(*i*) Lower Division assistants of the Bengal Secretariat;

(*ii*) clerical grade of the Accountant-General, Bengal's office; and

(*iii*) subordinate clerical grade of the Post Offices in Calcutta, at the time of the Salaries Committee's Report and at the present date?

The Hon'ble Mr. A. MARR: (*a*) The member is referred to the Report of the Ministerial Officers' Salaries Committee, a copy of which is available in the Legislative Department's library.

(*b*) (*i*) A statement is laid on the table.

(*ii*) and (*iii*) The information is not in the possession of Government.

Statement referred to in the reply to clause (b) (i) of unstarred question No. 12.

Pay of Lower Division Assistants of the Bengal Secretariat—

at the time of the Salaries Committee's Report—Rs. 50—3—125 with a probationary period of Rs. 40 (average cost Rs. 74).

at the present day—Rs. 60—60—65—4—145—145—150 (average cost Rs. 99), with a selection grade of Rs. 175—200 (average cost Rs. 198).

Santhia-Berhampore-Bhairamara Projected Railway.

13. Maharaj Kumar SRIS CHANDRA NANDY: (*a*) Will the Hon'ble Member in charge of the Department of Public Works (Railways) be pleased to state whether there is any likelihood of starting the works in connection with the proposed Santhia-Berhampore-Bhairamara Projected Railway at an early date?

(*b*) Is the Hon'ble Member aware that this would afford relief to the people of the Murshidabad district who feel themselves hard hit by the failure of crops this year.

The Hon'ble Mr. A. MARR: (*a*) Government have no information as to when the work of construction is likely to commence. Only the engineering and traffic surveys of the proposed line have been completed.

(*b*) Yes.

Khan Bahadur Maulvi AZIZUL HAQUE: As the project will afford relief to the people of Murshidabad and neighbouring districts, will the Government be pleased to expedite the construction work?

The Hon'ble Mr. A. MARR: I cannot hear the question.

Construction of Caria Bridge in the 24-Parganas.

14. Babu SASI SEKHAR BASU: (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether he is aware of the condition of the Caria Bridge in the 24-Parganas district?

(*b*) Will the Hon'ble Member be pleased to state—

(*i*) when the bridge was dismantled;

(*ii*) who has been entrusted to reconstruct it; and

(*iii*) the amount of estimate sanctioned for the reconstruction?

(*c*) Will the Hon'ble Member be pleased to state whether any stipulation of time was made with the contractor to do the work?

(*d*) If so, will the Hon'ble Member be pleased to state what is the last date by which the work is to be completed?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) Yes.

(*b*) (*i*) Sometime in February, 1927.

(*ii*) Contractors, Messrs. Kumardhubi Engineering Works, Ltd.

(*iii*) Rs. 63,213.

(*c*) Yes.

(*d*) 31st December, 1927.

Employees in the Electrical Division of the Public Works Department.

15. Babu AMARENDRA NATH GHOSE: Will the Hon'ble Minister in charge of the Department of Public Works be pleased to state—

(*a*) the number of employees in the Electrical Division of the Public Works Department;

(*b*) the year in which this division was first started; and

(*c*) the nature of the present work of those employees?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Forty-six permanent employees on the regular establishment of the Electrical Division, consisting of 4 engineers, 10 subordinates and 32 office establishment including menials.

(*b*) 1908.

(*c*) The nature of the present work of these employees is as noted below:—

Duty of engineer establishment.—The execution and maintenance of all electrical work in Government buildings in Calcutta and its neighbourhood, supervision and management of office work, accounts and collection of rent for installations.

Duty of subordinates.—Subordinate supervision of the above electrical work.

Duty of office establishment.—Accounts and clerical work in connection with the above electrical work.

Duty of menials.—Carrying letters and office papers, etc.

Political Prisoners and Détenus.

16. Babu NALINIRANJAN SARKER: Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing the names of persons—

(*i*) interned at home on 15th August, 1927;

(*ii*) unconditionally released since 1st April to 15th August, 1927;

(*iii*) confined in Bengal jails on 15th August, 1927;

(*iv*) confined in jails outside Bengal on 15th August, 1927; and

(*v*) interned outside jail in Bengal on 15th August, 1927?

Member in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*i*) to (*v*) Government are not prepared to publish this information.

Mr. SUBHAS CHANDRA BOSE: Will the Hon'ble Member be pleased to state the reasons why he is not prepared to publish this information?

The Hon'ble Mr. A. N. MOBERLY: I have explained before that names are not given.

Mr. KIRAN SANKAR ROY: Will the Hon'ble Member be pleased to state whether these orders of internment and release are confidentially communicated to the persons interned?

The Hon'ble Mr. A. N. MOBERLY: They are not confidential after execution or service.

Mr. KIRAN SANKAR ROY: Will the Hon'ble Member be pleased to state what reasons there can be for not communicating to us the orders that have been passed?

The Hon'ble Mr. A. N. MOBERLY: They are not published.

Unspent balances of moneys deposited for Paper-books.

17. Babu JITENDRALAL BANNERJEE: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement showing when and under what circumstances the moneys deposited by the parties on account of paper-books in the Appellate Side of the High Court lapse to the Government?

(*b*) Will the Hon'ble Member be pleased to lay on the table a detailed statement showing the number of appeals (with the names of parties) in the Appellate Side during the years 1921—26, in which the surplus amounts, after final adjustment, actually lapsed to the Government?

The Hon'ble Mr. A. N. MOBERLY: (*a*) If the unspent balances of the moneys deposited by the parties on account of the cost of the preparation of paper-books are not claimed within five years from the date of deposit, they lapse to Government under orders of the Government of India.

(*b*) To supply the information required would entail an undue amount of labour on and interference with the ordinary work of the officials of the High Court, which Government would not be justified in asking from the Court.

Babu JITENDRALAL BANNERJEE: Is this information supplied by the High Court officials themselves, or is it an excuse very kindly advanced by the Hon'ble Member on their behalf?

The Hon'ble Mr. A. N. MOBERLY: Yes, it is supplied by the High Court.

Education to the Children in the Barrackpore and Howrah Mill Areas.

18. Maulvi MUHAMMAD SOLAIMAN: (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state what arrangements have been made for giving education to the children of farmers, labourers, young boys and girls of jute mills employees in the Barrackpore and Howrah mill areas?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a statement showing—

(*i*) the number of schools;

(*ii*) their standards;

(*iii*) the number of pupils of either sex attending them; and

(*iv*) their proportion to the total average number of boys and girls of school-going age?

(*c*) What is the amount, if any, spent annually by the Government and the proprietors and managers of each mill?

(*d*) If no arrangements have been made, will the Hon'ble Minister be pleased to state what action, if any, he proposes to take in this matter?

(*e*) Are the Government considering the desirability of inviting the co-operation and assistance of the proprietors and managers of these mills in this matter?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (*a*) There are 61 primary schools and maktabs in the Barrackpore and Howrah mill areas, which are chiefly attended by the children (boys and girls) of labourers and jute mill employees. Of these schools the mill hand school of Titaghur is attended by 95 pupils of entirely mill hand parents. It is a free institution receiving a grant of Rs. 60 a month from Government, supplemented by a monthly contribution of Rs. 10 from the mills.

Besides these there are two schools for factory boys of Ichapur Rifle and Metal and Steel Factories managed by the Factory Superintendents. One of the schools receives a grant of Rs. 2,945 a year from Government under Mr. Biss' scheme.

(*b*) (*i*) 40 for Barrackpore mill area and 21 for Howrah mill area.

(*ii*) Up to upper primary standard.

(*iii*) In Barrackpore mill area, 2,042 boys and 109 girls. In Howrah mill area, 912 boys and 83 girls.

(*iv*) In Barrackpore mill area, 5 per cent. In Howrah mill area, 6 per cent.

(*c*) In Barrackpore mill area, Rs. 2,262 spent by Government and Rs. 360 by mill authorities. In Howrah mill area, Rs. 408 spent by Government and Rs. 646 spent by mill authorities.

(*d*) This does not arise.

(*e*) Government will bring the question to the notice of the proprietors of the mills, and inquire whether they are prepared to contribute further.

"Furniture and Appliances" for the Islamia College.

19. Mr. A. F. M. ABDUR-RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state—

(*i*) what is the amount spent last year (1926-27) under the head "Furniture and Appliances" in the Islamia College;

(*ii*) who spent the amount;

(*iii*) whether any tenders were called for before ordering the furniture and other articles; and

(*iv*) whether the market rate was examined before passing the bills for payment?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a list of the articles purchased with prices noted against each item?

(*c*) Is it a fact that one single chair was purchased for Rs. 250?

(*d*) What is the name of the firm who supplied it?

(*e*) Who ordered and settled the price for it?

(*f*) What was the reason for buying a chair of such a high price?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (*a*) (*i*) Furniture, Rs. 19,575-2-9. Appliances, Rs. 23,887-4-7.

(*ii*) Principal, Islamia College, under the orders and sanction of the Director of Public Instruction, Bengal.

(*iii*) Yes.

(*iv*) Yes.

(*b*) The list of the articles purchased together with the prices noted against each item are laid on the table.

(*c*) No.

(*d*) The question does not arise.

(*e*) The question does not arise.

(*f*) The question does not arise.

List of articles of furniture with their prices referred to in the reply to clause (b) of unstarred question No. 19.

		Rs.	A.	P.
(1)	50 College benches with desks combined, each 7 feet long, at Rs. 32 each	1,600	0	0
	18 College benches with desks combined, each 9 feet long, at Rs. 40-8 each	729	0	0
	1 Stationery case with cover	15	0	0
	136 Coolies for delivery, at 14 as. each	34	0	0
	Coolies for removing the benches from the ground floor to their respective classes	6	0	0
	Total	2,384	0	0
(2)	1 Durrie, "B" quality, size 14′ × 12′	56	0	0
	1 Durrie, "B" quality, size 7′ × 4′	8	12	0
	Total	64	12	0
(3)	1 Iron safe on stand by Edevm Catrill & Co. (Birmingham)	273	8	0
(4)	4 P. Ansonia 10-inch plain dial clocks, at Rs. 27 each	108	0	0
	Delivery charge	0	8	0
	Total	108	8	0
(5)	1 Gong stand	10	0	0
(6)	1 Flap for typist's table 18″ × 10″ with hinges	3	0	0
(7)	1 Adjustable steel rack, 24′ × 13′ × 12″, of 8 bays fitted with 13 shelves to bay with closed ends	937	0	0
	Expanded metal doors to 2 bays	132	0	0
	1 Adjustable steel rack, 9′ × 14′ × 12″, of 3 bays of 3 feet each fitted with shelves	404	0	0
	Expanded metal doors	198	0	0
		1,671	0	0
	Less 7½ per cent.	125	5	3
	Total	1,545	10	9

		Rs.	A.	P.
(8)	15 Pieces of mats, at Rs. 2-4 each	33	12	0
	1 Piece of mat for *Imam*, at Rs. 1-2	1	2	0
	Coolie hire	0	8	0
	Total ..	35	6	0
(9)	1 Wooden table for office duftry	7	0	0
	Coolie hire	0	3	0
	Total ..	7	3	0
(10)	1 Gong	14	0	0
(11)	12 Casement cloth door *purdahs*, at Rs. 4 each	48	0	0
(12)	1 Iron safe on stand with duplicate key	163	8	0
(13)	Key-board for 80 keys, inside measurement 27″ × 18″ × 3″ deep, glass door with lock and key	16	0	0
	4 Milton cloth, size 35″ × 23″, for notice board, at Rs. 2 each ..	8	0	0
	6 Letter trays, inside measurement 16″ × 10″ × 4″ deep, with holes to hold the tray on long way, 10 inches side, at Rs. 2-14 each	17	4	0
	Total ..	41	4	0
(14)	2 Writing tables with rack, one drawer fitted with lock and key, at Rs. 36-8 each	73	0	0
	1 Typist's table, 3′ × 18″ × 2′ 4″, three drawers, one drawer fitted with lock and key	26	8	0
	4 Whatnots, 4′ × 3′ × 14″ deep, at Rs. 20 each	80	0	0
	8 Blackboards, 5′ × 3′, against wall, framed, at Rs. 30 each ..	240	0	0
	9 Blackboards on stand, double sliding, 5′ × 3¼′, at Rs. 85 each ..	765	0	0
	3 Blackboards ruled for graph on easel, 3′ × 3¼′, at Rs. 28 each ..	84	0	0
	1 Pigeon-hole rack for wall	20	0	0
	3 Readers' individual table, 3′ × 2′ 6″ × 2′ 6″ high, at Rs. 12-8 each	37	8	0
	1 Table, 12′ × 5′ × 2′ 6″	95	0	0
	46 Arm-chairs, cane seated, at Rs. 10 each	460	0	0
	4 Glass-fronted almirahs, 24 compartments, at Rs. 185 each ..	740	0	0
	1 Table for register, 5′ × 2′ × 2′ 6″	20	0	0
	1 Blackboard on stand to revolve, 4′ × 3′	35	8	0
	Total ..	2,676	8	0
(15)	555 No. Chopps 4 lever locks, at Re. 1-8 each	15	0	0

3RD LECTURE ROOM.

(16)	26 Benches with desks	1,184	0	0

6TH LECTURE ROOM.

	26 Benches with desks	1,184	0	0

11TH LECTURE ROOM.

		Rs.	A.	P.
	26 Benches with desks	1,184	0	0

15TH LECTURE ROOM.

		Rs.	A.	P.
	26 Benches with desks	1,184	0	0
	Coolie hire	22	0	0
	Total	4,758	0	0
(17)	1 Office chair	24	0	0
	26 Desk armed chairs, at Rs. 12 each	312	0	0
	1 Writing-table, 5′ × 3′, with drawers	44	0	0
	4 Almirahs, 6′ × 4′, at Rs. 65 each	260	0	0
	1 Flat table, 10′ × 4′	80	0	0
	3 Mirrored hat-racks, at Rs. 18 each	54	0	0
	2 Flat tables, 6′ × 3½′, at Rs. 42 each	84	0	0
	60 Combined desks and benches, at Rs. 37 each	2,220	0	0
	3 Platforms, 7′ × 5½′ × 18″, at Rs. 45 each	135	0	0
	100 Examination tables, at Rs. 6 each	600	0	0
	100 Armless cane-seat chairs, at Rs. 7 each	700	0	0
	1 Writing-table, 5′ × 3½′, with drawers	55	0	0
	5 Readers' tables, 7′ × 4½′, at Rs. 60 each	300	0	0
	6 Stools, at Rs. 3-8 each	21	0	0
	12 Goglet stands, at Rs. 3-8 each	42	0	0
	1 Step-ladder	18	0	0
	12 Screen rods, at Re. 1-12 each	21	0	0
	1 President's chair	125	0	0
	24 Armless chairs (wooden seat), at Rs. 6-14 each	165	0	0
	Coolie hire	44	0	0
	Coolies' hire for arranging furniture (4 days)	18	0	0
	Carpenter's labour for fixing notice boards and hat racks with wooden plugs	6	0	0
	Total	5,325	5	3
(18)	1 Secretariat writing-table, 5′ × 3½′	85	0	0
	1 Plain table, 5′ × 3′	30	0	0
	1 Secretariat table, 6′ × 4′	120	0	0
	1 Glass door almirah, 7′ × 4′	80	0	0
	1 Panelled door almirah, 7′ × 4′	80	0	0
	1 Hat stand mirror back	45	0	0
	4 Glazed notice boards, at Rs. 18 each	72	0	0
	1 Marble-top wash-hand stand	40	0	0
	2 Wooden-top wash-hand stands, at Rs. 15 each	30	0	0
	9 Platforms, 5′ × 4′ × 9″, at Rs. 20 each	180	0	0
	13 Writing-tables, 4′ × 2½′, at Rs. 25 each	325	0	0
	Coolie hire	16	10	9
	Total	1,103	10	9

OFFICE ROOM.

		Rs.	A.	P.
(19)	4 Arm-chairs, cane seat, at Rs. 9 each	36	0	0
	1 Duftry table with one drawer	28	0	0

WAITING ROOM.

	4 Arm-chairs, cane seat, at Rs. 9 each	36	0	0

1ST LECTURE ROOM.

	1 Arm-chair, cane seat	9	0	0

2ND LECTURE ROOM.

	1 Arm-chair, cane seat	9	0	0

3RD LECTURE ROOM.

	1 Platform with step	40	0	0
	1 Arm-chair, cane seat	9	0	0

4TH LECTURE ROOM.

	1 Arm-chair	9	0	0

PROFESSORS' COMMON ROOM.

	4 Double arm easy chairs, at Rs. 17 each	68	0	0
	24 Arm-chairs, cane seat at Rs. 10 each	240	0	0

5TH LECTURE ROOM

	1 Arm-chair	9	0	0

PROFESSORS' TIFFIN ROOM.

	6 Arm-chairs, at Rs. 9 each	54	0	0

PHYSICS LABORATORY.

	1 Table with drawers	35	0	0
	1 Arm-chair	9	0	0

LECTURE THEATRE.

	1 Arm-chair	9	0	0

CHEMISTRY LABORATORY.

	1 Arm-chair	9	0	0

6TH LECTURE ROOM.

	Rs.	A.	P.
1 Arm-chair	9	0	0

7TH LECTURE ROOM.

1 Arm-chair	9	0	0

8TH LECTURE ROOM

1 Arm-chair	9	0	0

10TH LECTURE ROOM

1 Arm-chair	9	0	0

11TH LECTURE ROOM.

1 Arm-chair	9	0	0

12TH LECTURE ROOM.

1 Arm-chair	9	0	0

13TH LECTURE ROOM.

1 Arm-chair	9	0	0

14TH LECTURE ROOM.

1 Arm-chair	9	0	0

15TH LECTURE ROOM.

1 Arm-chair	9	0	0

16TH LECTURE ROOM.

1 Arm-chair	9	0	0

ASSEMBLY HALL.

48 Armless chairs, at Rs. 5-15 each	276	0	0
Coolie hire	25	0	0
Total ..	1,000	0	0

Stay of Under Secretaries to Government at Darjeeling.

20. Babu JATINDRA NATH CHAKRABURTTY: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to lay on the table a statement showing for the years 1924-25 and 1925-26 how long the Under Secretaries to the Government of Bengal stayed at Darjeeling?

(*b*) Is it a fact that the Hon'ble Sir Henry Wheeler gave an assurance to the Council that Darjeeling expenses and residence of officials would be curtailed?

(*c*) If so, what effect, if any, has been given to this assurance?

The Hon'ble Mr. A. MARR: (*a*) The Under Secretary, Appointment, Judicial and Political Departments, did not go to Darjeeling in 1924-25. In 1925-26 he worked there from 4th April, 1925, to 28th June, 1925. The Under Secretary, Finance, Commerce and Marine Departments, worked at Darjeeling in 1924-25 from 2nd September, 1924, to 16th October, 1924; and in 1925-26 from 3rd April, 1925, to 27th June, 1925, and from 11th September, 1925, to 19th October, 1925.

(*b*) Yes.

(*c*) Orders were issued accordingly to all departments in April, 1921, and the original budget provision of Rs. 75,600 for "Hill allowances" for all departments made in 1921-22 was at once reduced to Rs. 40,201. Effect continues to be given to the assurance and the corresponding budget provision for 1927-28 is Rs. 37,048.

Gangway for female passengers at all Stations from Goalundo to Fulchari.

21. Babu AMARENDRA NATH GHOSE: (*a*) Is the Hon'ble Member in charge of the Marine Department aware that all classes of passengers, including females, are expected to pass through the same gangway at all the stations from Goalundo to Fulchari?

(*b*) Is the Hon'ble Member also aware of the inconvenience caused thereby to female passengers?

(*c*) If so, what steps, if any, do the Government intend to take in the matter?

The Hon'ble Mr. A. MARR: (*a*) Yes.

(*b*) and (*c*) No. No complaint has been received either by Government or by the Companies in this connection.

Alleged Proposal of transfer of Debhatta Thana, Khulna, to the 24-Parganas.

22. Mr. A. F. M. ABDUR-RAHMAN: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether there is any proposal for the inclusion of the Debhatta thana of the district of Khulna, in the Basirhat subdivision of the district of the 24-Parganas?

(*b*) If the answer to (*a*) is in the affirmative, when will the proposal be given effect to?

The Hon'ble Mr. A. N. MOBERLY: (*a*) No such proposal has been made to Government.

(*b*) Does not arise.

System of Promotion of Press Employees.

23. Maulvi LATAFAT HUSSAIN: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether it is a fact that prior to 1920 lino-operators, compositors, distributors, binders, pressmen, machinemen and mono-operators were annually subjected to a classification according to merit like the salaried hands and used to get periodical promotions according to merit?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons for putting a stop to this system?

The Hon'ble Mr. A. MARR: (*a*) No.

(*b*) Does not arise.

Fencing the Approach Road of the Surjipur Bridge in the 24-Parganas.

24. Babu SASI SEKHAR BASU: (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether he is aware of the many motor accidents that happened for not properly fencing the approach road of the Surjipur Bridge in the district of the 24-Parganas.

(*b*) If so, will the Hon'ble Member be pleased to state—

(*i*) the number of such accidents; and

(*ii*) the number of them that were fatal?

(*c*) Will the Hon'ble Member be pleased to state whether, and if so, when the attention of Government was drawn to this matter?

(*d*) Will the Hon'ble Member be pleased to state what steps, if any, have been taken to prevent the recurrence of such accidents?

(*e*) If no steps have as yet been taken, will the Hon'ble Member be pleased to state the reasons therefor?

(*f*) Are the Government considering the desirability of taking immediate action in the matter?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) No, not any on the bridge approaches.

(*b*) (*i*) and (*ii*) Do not arise.

(*c*) No.

(*d*) Does not arise. The bridge approaches have already been fenced.

(*e*) The question does not arise.

(*f*) The question does not arise.

"Satyagraha" movement in Patuakhali.

25. Maulvi SHAMSUR RAHMAN: (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that since the beginning of the *Satyagraha* movement in Patuakhali only Musalman officers are being placed in charge of the subdivision?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the reason for such postings?

(*c*) Is the section 144 order still in force in Patuakhali?

(*d*) If not, why has that order been withdrawn?

(*e*) If the said order is still in force, will the Hon'ble Member be pleased to state whether it is a fact that the *Satyagrahists* are still violating the order and no arrests are being made?

(*f*) If the reply to (*e*) is in the affirmative, will the Hon'ble Member be pleased to state why no arrests are being made?

The Hon'ble Mr. A. N. MOBERLY: (*a*) Yes.

(*b*) Local conditions render it desirable at present to place a Muhammadan officer in immediate charge of the subdivision.

(*c*), (*d*), (*e*) and (*f*) Government are not aware what order under section 144 is referred to. The order issued under section 30 of the Police Act for the regulation of public assemblies and processions and the licensing of the same is still in force. No processions are now being taken out and so no arrests are being made for breach of the order under section 30.

Expenditure on Education in Rangpur.

26. Babu NAGENDRA NARAYAN RAY: Will the Hon'ble Minister in charge of the Department of Education be pleased to lay on the table a statement, showing for the last three years, the amount of money expended in the district of Rangpur by Government and by the local bodies separately for—

(*i*) primary education,

(*ii*) secondary education, and

(*iii*) higher education?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 26.

Year.	Amount of money expended in the district of Rangpur					
	for primary education		for secondary education		for higher education	
	by Government	by local bodies	by Government	by local bodies.	by Government.	by local bodies.
	Rs	Rs	Rs.	Rs	Rs.	Rs.
1924-25 .	81,799	80,120	37,859	29,544	15,055	370
1925-26	86,055	69,261	49,809	27,973	18,135	168
1926-27 ..	97,479	71,530	46,928	35,309	13,687	636

Posting of Muhammadan Officers at Darjeeling.

27. Maulvi SHAMSUR-RAHMÂN: Will the Hon'ble Member in charge of the Appointment Department be pleased to state the number of Musalman Provincial Officers, if any, posted at Darjeeling during each of the last 10 years?

The Hon'ble Mr. A. N. MOBERLY: Only one Muhammadan officer has been posted to Darjeeling during the last 10 years, namely, Maulvi Ahmad, Deputy Magistrate and Deputy Collector, who was there from 8th November, 1921, to 12th November, 1921, and from 14th February, 1922, to 3rd May, 1923.

Mymensingh-Sambhuganje Ferry and Jamalpur Ferry on the River Bramhaputra.

28. Babu AMARENDRA NATH GHOSE: (*a*) Will the Hon'ble Minister in charge of the Department of Public Works be pleased to

state what is the income of the Mymensingh-Sambhuganje Ferry and that of the Jamalpur Ferry on the river Bramhaputra?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a statement showing the income of those two ferries for the last 12 years?

(*c*) Who are the farmers of those ferries?

(*d*) How long have those two ferries been leased out to the present farmers?

(*e*) When were they last leased out to the present farmers and for how many years?

(*f*) Are the farmers Bengalis?

(*g*) If the answer to clause (*f*) is in the negative, will the Government be pleased to state why the ferries cannot be leased out to unemployed educated Bengalis?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) (*b*) and (*c*) A statement is laid on the table.

(*d*) Mymensingh-Sambhuganje Ferry—for about 13½ years. Jamalpur Ferry—for about 7½ years.

(*e*) 1st April 1920—for 10 years.

(*f*) This is believed not to be the case.

(*g*) Future disposal of these ferries lies with the District Board.

Statement referred to in the reply to clauses (a) to (c) of unstarred question No. 28.

Year (financial).	Income of Mymensingh Sambhuganje Ferry.	Name of ferry farmer.	Income of Jamalpur Ferry.	Names of ferry farmers.
	Rs. A. P.		Rs. A. P.	
1915-16 ..	26,000 0 0	Babu Chhatrapati Singh.	3,500 0 0	Babu Khub Lal Singh.
1916-17 .	26,000 0 0		3,500 0 0	
1917-18 ..	22,087 8 0		3,500 0 0	
1918-19 ..	10,350 0 0		3,500 0 0	
1919-20 ..	10,350 0 0		3,500 0 0	
1920-21 ..	10,350 0 0		3,500 0 0	Babu Chhatrapati Singh.
1921-22 ..	10,350 0 0		3,500 0 0	
1922-23 ..	10,350 0 0		3,500 0 0	
1923-24 ..	10,350 0 0		3,500 0 0	
1924-25 ..	10,350 0 0		3,500 0 0	
1925-26 ..	10,350 0 0		3,500 0 0	
1926-27 ..	10,350 0 0		3,500 0 0	
Total ..	1,67,237 8 0		42,000 0 0	

Babu AMARENDRA NATH GHOSE asked the following three supplementary questions in Bengali:—

(*1*) Is the Hon'ble Minister aware of the reasons why the income in the last ten years had dropped from Rs. 22,000 to Rs. 10,000?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am not aware of the reason. I have already taken steps to inquire.

(*2*) Will the Hon'ble Minister be pleased to state why the term of the lease was for such a long period?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am not aware of the reason, but will inquire. I want notice of the question.

(*3*) Will the Hon'ble Minister be pleased to state why again and again the lease is being given to the same man?

Mr. PRESIDENT: I think it is useless to put that question. The Minister has already promised to inquire.

Mr. SUBHAS CHANDRA BOSE: On a point of order, Sir, when a question is put in Bengali, is it not fair that the reply should also be given in Bengali?

Mr. PRESIDENT: The business of the Council is ordinarily conducted in English, but if any member pleads ignorance of that language and specially requests that replies should be given to his questions in Bengali, I shall certainly see that his request is complied with whenever possible.

Supervising Staff of the Bengal Government Press.

29. Maulvi LATAFAT HUSSAIN: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to lay on the table a statement showing from 1910 to 1926, year by year,—

(*i*) the number of (*1*) compositors, (*2*) distributors, (*3*) pressmen, and (*4*) Foremen, in the Bengal Government Press; and

(*ii*) the numerical strength of the supervising staff showing under each designation the number of men employed?

(*b*) Is it a fact that from 1912, on the creation of the new province of Bihar and Orissa, a new printing establishment was set up at Patna, and that a portion of the work done in the Bengal Government Press was transferred to the Patna Press?

(*c*) Is it a fact that the strength of the supervising staff of the Bengal Government Press has been progressively increased?

(*d*) Is it a fact that over and above the Superintendent, there are now in the Bengal Government Press three Deputy Superintendents and four Overseers, while before 1912 there was one Superintendent, and one Deputy Superintendent and two Overseers?

(*e*) If the answers to clauses (*c*) and (*d*) are in the affirmative, will the Hon'ble Member be pleased to state the reasons therefor?

The Hon'ble Mr. A. MARR: (*a*) The information is not readily available in the form asked for, and the preparation of it would, in the opinion of Government, involve time and labour out of all proportion to its value when obtained.

(*b*) After 1912 the Bengal Government Press ceased to print for Bihar and Orissa, but had to undertake the work for the new province of Bengal as then constituted.

(*c*) and (*d*) Before 1912 there were one Deputy Superintendent and three Overseers. There are now three Deputy Superintendents and there have been four Overseers since 1912.

(*e*) The supervising staff was found to be inadequate for the duties to be performed.

Press Employees: Promotion of.

30. Maulvi LATAFAT HUSSAIN: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether the Bengal Government Press authorities hold any examination before promoting a compositor to the post of an Assistant Section-holder or an Assistant Section-holder to that of a Section-holder or a Section-holder to that of an Overseer?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a statement showing the names of candidates who appeared and passed such examinations, year by year, from 1909 to 1926?

(*c*) If no such examinations are held, will the Hon'ble Member be pleased to state the reasons therefor?

The Hon'ble Mr. A. MARR: (*a*) No.

(*b*) Does not arise.

(*c*) An examination is not considered necessary.

State Scholarships and Students of the Depressed Class.

31. Rai Sahib REBATI MOHAN SARKER: (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state

the procedure adopted by the Government in awarding State scholarships to the students of the Dacca and Calcutta Universities for education in foreign countries?

(*b*) Is it a fact that two of such scholarships have been reserved for the Muhammadans and three for other communities?

(*c*) Has any such scholarship ever been given to a student of the depressed class during the last 10 years?

(*d*) If the answer to (*c*) is in the negative, are the Government considering the desirability of reserving at least one such scholarship for the students of the depressed class?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (*a*) Nominations are called for from the two Universities. Government select after considering the nominations.

(*b*) The number of scholarships varies from year to year. This year there were two such scholarships, one of which was reserved for a Moslem. There are other scholarships, but they are not specially reserved for students of the Universities. In regard to these also, three in number, there is communal reservation to ensure Moslems obtaining them in reasonable proportion.

(*c*) No. The existing State scholarship system was inaugurated in 1925.

(*d*) No. The suggestion is not a practical one.

District Board of Dinajpur: Nomination to.

32. Maulvi KADER BAKSH: Is the Hon'ble Minister in charge of the Department of Local Self-Government aware that no Muhammadan has been nominated to the District Board of Dinajpur at its last constitution?

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes.

Surplus Fees of the Paper-book Department.

33. Mr. A. F. M. ABDUR-RAHMAN: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state the circumstances under which the amounts of fees deposited by parties to suits in the Appellate Side of the High Court on account of costs of paper-books lapse to the Government?

(*b*) Will the Hon'ble Member be pleased to lay on the table a statement showing the number of appeals with the names of the parties in the Appellate Side of the Calcutta High Court during the period 1921-26 whereunder surplus amount of fees so deposited actually lapsed after adjustment of the necessary account?

(*c*) Was due notice given to such parties as were entitled to a refund?

(*d*) What are the names and number of parties to whom no such notice was given?

The Hon'ble Mr. A. N. MOBERLY: (*a*) If the unspent balances of the monies deposited by the parties on account of the costs of the preparation of the paper-books are not claimed within five years from the dates on which the deposits were made, they are transferred to the credit of general revenues of Government at the close of that period, in accordance with the order of the Government of India.

(*b*) The compilation of this information would entail an amount of labour and cost wholly incommensurate with any possible advantage to be gained from it.

(*c*) A copy of the final account in the case of each Regular Appeal and Miscellaneous Appeal showing the amount available for refund is served on the vakil concerned. In respect of P. C. appeals, such information is furnished whenever requisitioned by the vakil.

(*d*) No useful purpose is likely to be served by the publication of the names of parties asked for; the compilation would, moreover, entail an amount of labour and cost wholly incommensurate with any possible advantage to be gained from it.

Crimes in Murshidabad.

34. Maharaj Kumar SRIS CHANDRA NANDY: Will the Hon'ble Member in charge of the Police Department be pleased to state whether the Government are prepared to lay on the table a statement showing the number of crimes in each thana in the district of Murshidabad for the last five years?

The Hon'ble Mr. A. N. MOBERLY: A statement showing the number of cognizable cases reported to police during the last five years is laid on the table.

Statement referred to in the reply to unstarred question No. 34 showing the total number of cognizable cases reported during the last five years in the Murshidabad district.

Serial No.	Name of police-station.	1922.	1923.	1924.	1925.	1926.
1	Berhampore Town ..	117	114	128	154	134
2	Bhakuri	75	57	60	61	26
3	Beldanga	50	46	74	55	125
4	Saktipur	33	48	33	38	25
5	Hariharpara	42	70	19	27	31
6	Nowada	47	40	37	32	20
7	Domkal	49	77	111	60	49
8	Jellanghi	93	102	71	53	53
9	Doulatabad	8	26	50	45	27
10	Raninagar . ..	59	50	38	37	46
11	Hurshi	19	30	35	27	14
12	Murshidabad	92	90	72	60	56
13	Jiaganj . .	73	64	64	48	37
14	Bhagwangola ..	70	63	83	74	33
15	Lalgola .. .	100	80	117	74	48
16	Sagardighi	31	40	63	38	25
17	Nabagram .. .	41	42	55	33	33
18	Raghunathganj ..	125	107	83	76	74
19	Mirzapur . .	39	60	46	44	47
20	Farakka . .	29	52	51	47	18
21	Shamsergunj	158	116	150	92	122
22	Suti . .	132	120	92	80	73
23	Kandi . ..	83	92	83	78	107
24	Kagram .. .	27	53	39	28	15
25	Khargram	120	85	97	82	52
26	Burwan . ..	73	51	66	59	50
27	Gokarna	40	34	30	28	13
28	Bharatpur ..	55	38	54	60	48
	Total ..	1,880	1,847	1,901	1,590	1,401

Piece-workers of Government Press.

35. Mr. K. C. RAY CHAUDHURI: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether any sort of examination is held before appointing a piece-hand in the Bengal Government Press?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state how it is possible for the Superintendent of the above Press to dispense with the services of a number of piece-hands on the sole ground of bad work?

(*c*) Is it a fact that the services of extra piece-hand employees (serving for 10 or 12 years) can be dispensed with at any time without any reason?

(*d*) If so, will the Hon'ble Member be pleased to state the reasons therefor?

The Hon'ble Mr. A. MARR: (*a*), (*b*) and (*c*) A piece-worker is tested before he is appointed on probation, and his retention depends on his work being satisfactory and on the amount of work the Press has to do.

(*d*) Does not arise.

Earnings of employees of the Government Press.

36. Maulvi LATAFAT HUSSAIN: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether it is a fact that on and from July 15, 1920, all workers, piece as well as salaried, in the Bengal Government Press have been getting a 40 per cent. increment in their earnings or salaries respectively?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a statement showing the amount which the Head Clerk, the Head Computor and other clerks and computors used to get prior to July 15, 1920, as well as what they are getting now?

The Hon'ble Mr. A. MARR: (*a*) The salaried employees received a substantial increase of pay. The piece rates were increased by 40 per cent. all round, except those for distribution which were increased by 75 per cent.

(*b*) The following statement furnishes the information asked for:—

Designation of the Press employees.	Pay prior to 15th July 1920.	Present pay.
Head Clerk	Rs. 202 (including war allowance).	Rs. 250—10—300
Head Computor ..	Rs. 75 .. .	Rs. 100—10—200
Other clerks	Rs. 35 to Rs 115 ..	Rs. 40—40—45—3—102—10—202.
Other computors ..	Rs. 35 to Rs. 53 ..	Rs. 40—40—45—3—111

Recommendations of Piece-workers' Enquiry Committee of 1926.

37. Babu SURENDRA NATH BISWAS: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether the recommendations Nos. 3, 8 and 10 of the Piece-workers' Enquiry Committee of 1926 have been given effect to?

(*b*) If not, will the Hon'ble Member be pleased to state the reasons therefor?

The Hon'ble Mr. A. MARR: (*a*) and (*b*) These recommendations are still under the consideration of Government.

Teachers in Government Secondary Schools and promotion of Moslems serving in High Schools.

38. Khan Sahib Maulvi MUAZZAM ALI KHAN: (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state how many Hindu Matriculates and I.A.'s are serving as English teachers in Government managed secondary schools?

(*b*) What facilities, if any, exist at present for the admission and the promotion of Musalman graduates serving in Government high schools?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (*a*) A statement furnishing the information is laid on the table.

(*b*) Promotion is given on the grounds of merit and seniority and not on communal grounds. 40 per cent. of the relevant vacancies were reserved for and filled by Moslems during the last 12 months.

Statement referred to in the reply to clause (a) of unstarred question No. 38 showing the number of Hindu Matrics and I.A.'s serving as English Teachers in Government Secondary Schools.

Schools.	*Matric.*	*I.A.*	*I.A.L.T.*	*Total.*
High schools for boys .. .	18	31	23	72
High schools for girls	11	2	2	15
Middle English schools for boys ..	1	1	1	3
Middle English schools for girls ..	6	..	..	6
Total ..	36	34	26	96

Santragachi-Vishnupur Railway Chord Line Scheme.

39. Babu AMULYA CHANDRA DATTA: Will the Hon'ble Member in charge of the Department of Public Works (Railways) be pleased to state when the Santragachi-Vishnupur Railway Chord Line Scheme will be taken up?

The Hon'ble Mr. A. MARR: The member is referred to the answer given in the Council to unstarred question No. 81 by Srijut Taraknath Mukerjea on the 1st March, 1927. Government have no more recent information on this subject.

Constables: Their pay and prospects.

40. Maulvi SHAMSUR-RAHMAN: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state the present strength of the constabulary force in the Province of Bengal, excluding Calcutta?

(*b*) What are the pay and prospects of these constables in the Province of Bengal?

(*c*) Is it a fact that the post of head-constables has been abolished and in its place the post of Assistant Sub-Inspector of Police created?

(*d*) Are the constables eligible for promotion in the ordinary course to the post of Assistant Sub-Inspector of Police?

(*e*) Is it not a fact that the pay given to these constables is inadequate to maintain their family in these days of high prices?

(*f*) Is it in the contemplation of Government to increase their pay and prospects at an early date?

The Hon'ble Mr. A. N. MOBERLY: (*a*) 19, 602 at the end of 1926.

(*b*) Pay: Rs. 16 to 20 by increments of Re. 1 after 3, 7, 10 and 17 years' approved service. Special pay of Rs. 2 per man in the Armed Branch. Prospects: Possibility of promotion to higher ranks.

(*c*) No. The rank of head-constable was retained when the rank of Assistant Sub-Inspector was created.

(*d*) Yes.

(*e*) The attention of the member is invited to paragraphs 8 and 9 of the Police Administration Report, 1926.

(*f*) Government expect to receive proposals from the Inspector-General of Police at an early date.

Kantakhali and Codakhali Khal in Thana Falta in the Diamond Harbour Subdivision of the 24-Parganas.

41. Babu SASI SEKHAR BASU: (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether he is aware of the condition of Kantakhali and Godakhali Khal in thana Falta in the Diamond Harbour subdivision of the 24-Parganas district?

(*b*) Will the Hon'ble Member be pleased to state whether any application for the re-excavation of the khal for proper drainage has been received from the local people?

(*c*) If so, when the application was received?

(*d*) Will the Hon'ble Member be pleased to state—

(*i*) how many villages have been affected thereby: and

(*ii*) the total number of population inhabiting the area?

(*e*) Is the Hon'ble Member aware that for two decades there has been failure of crops over an area of about 58 sq. miles due to the brackish water inundating the area?

(*f*) Will the Hon'ble Member be pleased to state whether any revenue or portion of it was remitted by the Government on this account?

(*g*) If so, what is the amount of such remission?

(*h*) Is the Hon'ble Member aware of the serious outbreak of malaria and kala-azar in the locality?

(*i*) Will the Hon'ble Member be pleased to state what steps, if any, have been taken to ameliorate the condition of the people?

(*j*) If the answer to (*i*) is in the negative, will the Hon'ble Member be pleased to state why no action has been taken in the matter?

(*k*) Will the Hon'ble Member be pleased to state whether any representation was sent to the District Magistrate?

(*l*) If so, what action, if any, has been taken by him?

(*m*) Will the Hon'ble Member be pleased to state whether the Government are considering the desirability of re-excavating the *khal* or any portion of it early?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) Yes.

(*b*) Yes.

(*c*) In 1904. The petitioners were asked to file an application under section 18 of the Embankment Act II of 1882 with the consent of the zamindars concerned. The required application under the Act was not received.

After passing of the Bengal Agricultural and Sanitary Improvement Act, 1920 (VI of 1920), the District Board of the 24-Parganas was asked for opinion regarding the drainage of the Kantakhali and Godakhali basins, but the Board declined to take the initiative in the scheme.

(*d*) (*i*) The total number of villages to be benefited as reported by the local officer was about 339.

(*ii*) The information is not available in this Department.

(*e*) Petitions were received from the inhabitants from time to time complaining of the loss of crops.

(*f*) No revenue has been remitted. Government are not aware if the zamindars have remitted any rents.

(*g*) This question does not arise.

(*h*) No.

(*i*) and (*j*) The Settlement Officer has promised to make an inquiry and submit a full report. Attestation is now going on in the area.

(*k*) Yes.

(*l*) The applicants were informed that as neither the district board nor any of the zamindars concerned were in favour of the scheme, it was not found possible to proceed with it.

(*m*) The project of re-excavation is not at present under consideration of Government.

Number of cases of culpable homicide reported in Khulna.

42. Maulvi SHAMSUR-RAHMAN: Will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a statement showing, year by year, for the years 1926 and 1927—

(*i*) the number of cases of culpable homicide reported in the district of Khulna;

(*ii*) the number of these cases in which the accused were sent up for trial; and

(*iii*) the number of these cases which ended in conviction?

The Hon'ble Mr. A. N. MOBERLY: A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 42 showing the number of cases of culpable homicide reported in Khulna.

	1926.		1927. (Up to 31st October 1927.)	
	Amounting to murder.	Not amounting to murder.	Amounting to murder.	Not amounting to murder.
(*i*) Number of cases of culpable homicide reported	30	6	30	8
(*ii*) Number of such cases in which the accused were sent up for trial ..	11	3	14	6
(*iii*) Number of such cases which ended in conviction	2	1	2*	2*

*Two cases of culpable homicide amounting to murder and one case not amounting to murder were pending in Court on 31st October 1927.

Ex-Head Clerk and the Store-keeper of the Bengal Government Press.

43. Babu SURENDRA NATH BISWAS: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether it is a fact that the Ex-Head Clerk and the Store-keeper of the Bengal Government Press were dismissed for embezzling public money?

(*b*) If so, will the Hon'ble Member be pleased to state why they were not tried in open Court?

(*c*) Are the Government considering the desirability of making any inquiry, official or non-official, or mixed, into the matter?

The Hon'ble Mr. A. MARR: (*a*) No. The Ex-Head Clerk was removed from service, while the Store-keeper was dismissed for gross irregularities and breach of printing rules.

(*b*) Does not arise.

(*c*) An inquiry was held before Government passed orders.

Railway Settlement at Kharagpur: Breach of the peace within.

44. Mr. K. C. RAY CHAUDHURI: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether there has been any breach of the peace within the Railway Settlement at Kharagpur during the deadlock due to stoppage of work in the Railway Workshop there?

(*b*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state the particulars of the breach?

The Hon'ble Mr. A. N. MOBERLY: (*a*) No.

(*b*) The question does not arise.

District and Civil Courts: Holidays allowed to Muhammadan Employees.

45. Babu NAGENDRA NARAYAN RAY: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether on the occasion of certain Muhammadan festivals the Hindu ministerial officers of the district civil courts are not permitted to enjoy the same number of holidays as the Muhammadan ministerial officers of the same courts?

(*b*) Is it a fact that on the occasion of the Muharram festival the Hindu ministerial officers of the district civil courts are granted holidays for 2 days only while the Muhammadan ministerial officers of the same courts are granted holidays for 5 days?

(*c*) Is it a fact that the Muhammadan ministerial officers of the district civil courts have, while the Hindu ministerial officers of the same courts have not, got holidays on the occasion of the festivals of Akhiri Chahar Shamba, Shabibarat and Id-uz-zuha?

(*d*) Is it a fact that Hindu ministerial officers of the district civil courts have to perform, in addition to their own duties, the duties of the Muhammadan ministerial officers, when the latter remain absent from their offices on the occasions of the Muhammadan festivals, on which—

(*i*) the Hindu officers get less number of holidays than the Muhammadan officers, or

(*ii*) the Hindu officers do not, while the Muhammadan officers do, get holidays?

(*e*) If the answer to (*a*), (*b*) or (*c*) be in the affirmative, are the Government considering the desirability of removing this system of difference in granting holidays?

The Hon'ble Mr. A. N. MOBERLY: (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

(*d*) Some temporary redistribution of current duties is made on such occasions by the presiding officers.

(*e*) No.

Line-operators in the Bengal Government Press.

46. Maulvi LATAFAT HUSSAIN: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether it is a fact that the Line-operators in the Bengal Government Press work under the piece system?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons therefor?

The Hon'ble Mr. A. MARR: (*a*) Yes.

(*b*) The system is the most suitable for the type of work.

Crimes in North and East Bengal relating to Female Modesty.

47. Babu AMARENDRA NATH GHOSE: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state -

(*i*) how many criminal cases were instituted against Muhammadan accused in North and East Bengal for abducting, raping and outraging the modesty of Hindu women in the last three years;

(*ii*) in how many cases were the accused summoned from the court and sent up by the police;

(*iii*) in how many cases were the accused convicted; and

(*iv*) in how many cases could not the abducted women be traced by the police?

(*b*) Will the Hon'ble Member be pleased to state whether it is the intention of Government to make any special arrangement for checking the above crimes?

The Hon'ble Mr. A. N. MOBERLY: (*a*) (*i*) 273, including four cases in which Hindus were accused along with Muhammadans.

(*ii*) 187.

(*iii*) 66. Five cases are pending.

(*iv*) 7.

(*b*) Government do not intend to make any special arrangement.

Officers of the Manufacturing Department serving in Jails.

48. Maulvi TAMIZUDDIN KHAN: (*a*) Will the Hon'ble Member in charge of the Political Department (Jails) be pleased to lay on the table a statement showing—

(A) the number of officers of the Manufacturing Department serving at present in the (*i*) Presidency Jail, (*ii*) Dacca Central Jail, (*iii*) Midnapore Central Jail, (*iv*) Rajshahi Central Jail, and (*v*) Mymensingh Jail; and

(B) the number of them in each of the said jails that are Muhammadans?

(*b*) How many temporary or permanent vacancies occurred in the staff of the said jails in the years 1926-27?

(*c*) How many of these vacancies were filled up by Muhammadans?

(*d*) Is it a fact that most of these posts were filled up by the relatives and co-villagers of the Personal Assistant of the Inspector-General of Prisons?

(*e*) Is it a fact that no applications were called for either by advertisements or by general notifications to fill up the vacancies? If not, why not?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 48 asked by Maulvi Tamizuddin Khan.

(*a*) (A) (*i*) 6, (*ii*) 5, (*iii*) 3, (*iv*) 2, and (*v*) 1. (B) One in Presidency and one in Midnapore Jail.

(*b*) Three permanent and one temporary.

(*c*) One permanent.

(*d*) None were his relatives. One was his co-villager.

(*e*) No, two of the permanent vacancies were advertised.

Scheme for the Separation of Judicial and Executive Functions.

49. Mr. A. F. M. ABDUR-RAHMAN: (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state what is the state at which the scheme for the separation of Judicial and Executive functions stands at present?

(*b*) Will the Hon'ble Member be pleased to state whether the Government intend giving effect to any such scheme in the near future? If so, when?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Member be pleased to state the present policy of Government with regard to this subject?

The Hon'ble Mr. A. N. MOBERLY: (*a*) The scheme is at present under the consideration of the Government of India whose orders are awaited.

(*b*) No. Effect cannot be given to the scheme until the orders of the Government of India are received.

(*c*) To await the orders of the Government of India and meanwhile continue the existing arrangements.

Babu AMULYA CHANDRA DATTA: Will the Hon'ble Member be pleased to state whether the Council will be given an opportunity of discussing this scheme before it is given effect to?

The Hon'ble Mr. A. N. MOBERLY: I cannot pledge the Government in advance.

Resolutions passed in the All-India Press Employees' Conference (Second Session).

50. Mr. K. C. RAY CHAUDHURI: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether he has received a copy of the proceedings and resolutions passed in the All-India Press Employees Conference (second session) held in Calcutta on August 13 and 14, 1927?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what action, if any, Government propose to take on resolutions Nos. 27, 29 and 33?

The Hon'ble Mr. A. MARR: (*a*) Yes.

(*b*) Reference is invited to the answer given to question 39 at the meeting of the Council on the 19th August 1926.

Proceedings and Resolutions of the All-India Press Employees' Conference held in Calcutta.

51. Maulvi MUHAMMAD SOLAIMAN: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether he has received a copy of the Proceedings and Resolutions of the All-India Press Employees' Conference, held in Calcutta on August 13 and 14, 1927?

(*b*) If the reply to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what action, if any, has been taken on resolution Nos. 9, 17 and 39 of the same?

(*c*) If no action has yet been taken on the resolutions mentioned in (*b*), do they contemplate taking action?

The Hon'ble Mr. A. MARR: (*a*), (*b*) and (*c*) Reference is invited to the answer given to an unstarred question on the subject asked by Mr. K. C. Ray Chaudhuri at this session of the Council.

Grant to Secondary Schools: Allotment for Muhammadan Education.

52. Khan Sahib Maulvi MUAZZAM ALI KHAN: (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state what amount of additional grant has been sanctioned for secondary schools?

(*b*) Will the Hon'ble Minister be pleased to state what amount, if any, out of the sanctioned amount for secondary schools has been allotted to Muhammadan education?

(*c*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (*a*) Rs. 1,50,000.

(*b*) and (*c*) The money was not sanctioned for specifically communal institutions, but Moslems attending ordinary middle and high schools benefit by the grant.

Sporting and Dramatic Club in the Bengal Government Press.

53. Babu SURENDRA NATH BISWAS: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether it is a fact that there is a Sporting and Dramatic Club in the Bengal Government Press?

(*b*) Is it a fact that the cashier takes off every month an amount from the pay of the piece-hand employees without their permission, as subscription for the above club?

(*c*) Is it a fact that if any employee objects to the above, he is then and there taken to the Head of the Department who threatens him with dismissal by bringing it to the notice of the Superintendent?

(*d*) Is it a fact that a permanent lino-operator was dismissed on the ground that he refused to pay such subscription?

The Hon'ble Mr. A. MARR: (*a*) Yes.

(*b*), (*c*) and (*d*) No.

Jurors in Districts of Dacca Division.

54. Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement showing the respective numbers at present of Muslim and non-Muslim jurors in the districts of—

(*i*) Dacca;

(*ii*) Mymensingh;

(*iii*) Barisal; and

(*iv*) Faridpur?

The Hon'ble Mr. A. N. MOBERLY: A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 54.

	Muslim jurors.	Non-Muslim jurors.
In Dacca	... 369	... 661
In Mymensingh	... 1,127	... 1,283
In Bakarganj	... 525	... 642
In Faridpur	... 296	. 608

Publication of Sale Proclamation in Rangpur.

55. Babu JATINDRA NATH CHAKRABURTTY: (*a*) Is the Hon'ble Member in charge of the Judicial Department aware that all sale notices under Order 21, Rule 67 (2) of the Civil Procedure Code, are not printed in the local newspaper in the district of Rangpur, though the litigants pay the cost of such printing under the orders of the courts?

(*b*) If so, what steps, if any, do the Government propose to take in the matter?

The Hon'ble Mr. A. N. MOBERLY: (*a*) and (*b*) No. Sale proclamations are always published in the *Rangpur Darpan* when the cost of publication is paid.

[At 4-15 P.M., the Council was adjourned, and it reassembled at 4-25 P.M.]

GOVERNMENT BUSINESS.

Report of the Committee on Public Accounts, 1925-26, and Excess Grants.

The Hon'ble Mr. A. MARR: I beg to present the Report of the Bengal Legislative Committee on Public Accounts on the Audit and Appropriation Accounts for the year 1925-26.

Dr. BIDHAN CHANDRA ROY: On a point of order, Sir, may I ask a question? I find there has been a demand for excess grants brought up now. The explanation for this is given in the Report which we have just received. It was not possible for us to put in any amendment of these motions in time to reach the Legislative Department. As a matter of fact, none of us has been able to read this Report even. Do you think it fair?

Mr. PRESIDENT: Did you receive the circular and make inquiries?

Dr. BIDHAN CHANDRA ROY: I received notice on the List of Business, but I did not know when the Report would be presented.

Mr. PRESIDENT: Did you make inquiries and send in amendments?

Dr. BIDHAN CHANDRA ROY: My point is: How can we put in amendments, unless we know what demands are made? We must exercise some discretion.

Mr. PRESIDENT: Is it not a fact that you neglected the case to some extent?

Dr. BIDHAN CHANDRA ROY: I do not think so. In the List of Business, there is no mention of the fact that the explanation would be found in the Report of the Public Accounts Committee. That is found in the small pamphlet given to us just now.

Mr. PRESIDENT: I admit that your objections are reasonable, but that should not prevent Mr. Marr from moving the demand.

Demands for Excess Grants.

The Hon'ble Mr. A. MARR: With your permission, Sir, before I make the actual demand, I would just remind members of this House of the procedure as regards excess grants. After a Budget year is finished, accounts are made up by the Accountant-General, and if he finds that any grant in the Budget has been exceeded, he brings this fact to the notice of Government, and it is the duty, one of the principal duties, of the Committee on Public Accounts to inquire into all these excesses and satisfy itself of the causes of the excesses before making its report. That report is then laid before this Council and the Council is then asked to vote the excess grants. In doing so, the Council generally accepts the Committee's recommendations. That is the usual procedure, and is the procedure in the House of Commons.

On the recommendation of His Excellency the Governor, I beg now to move that an excess grant of Rs. 2,081 be voted by the Council to regularise the expenditure actually incurred in excess of the voted grant in the year 1925-26 under the major head "22.—General Administration—Staff and Household of the Governor—Reserved—Band Establishment.".

Up to the year 1925-26, the travelling expenses of the Band establishment were all charged under the head "Tour expenses." In that year, the Military Secretary did not mark the bill "Tour expenses." The Accountant-General, therefore, debited the expenditure to the "Band establishment," thereby causing an excess under "Band establishment," and a corresponding saving under "Tour expenses." The Accountant-General has acknowledged this, and he says that as regards the transport charges of the Band, bills for this amount countersigned by the Military Secretary were not entered under the head "Tour charges,", but were entered under the head "Band charges." The Committee went into the question, and, in view of the explanation given, recommended that the excess expenditure be sanctioned.

4-30 P.M.

Babu JITENDRALAL BANNERJEE: May I know why this question was not placed before the House for discussion, but was at once put to vote?

Mr. PRESIDENT: Nobody caught my eye.

Babu JITENDRALAL BANNERJEE: But the President did not give any direction.

Mr. PRESIDENT: Will you please resume your seat? I have already put it to vote.

The following motion was then put and agreed to:—

"That an excess grant of Rs. 2,081 be voted by the Council to regularise the expenditure actually incurred in excess of the voted grant in the year 1925-26 under the major head '22.—General Administration—Staff and Household of the Governor—Reserved—Band Establishment.'"

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that an excess grant of Rs. 14,813 be voted by the Council to regularise the expenditure actually incurred in excess of the voted grant in the year 1925-26 under the major head "26.—Police—Reserved—Presidency Police—Calcutta Police—Pay of Establishment—Inspectors."

This is a case of rather a different nature to the last one in that two mistakes were made—one at the headquarters of Government and the other in the Accountant-General's office. The Police Department budgeted for a certain amount under "Pay of Inspectors." When that budget was put before the Council, the Council made a cut of Rs. 10,000 under this head. The Secretariat, where the first mistake was made, never communicated this fact to the Commissioner of Police,

which they should have done, and they were at fault for this. More officiating Inspectors were appointed than was expected, and in the course of the year the Commissioner of Police saw that there was going to be an excess expenditure under this head. He sent up a re-appropriation statement, which ordinarily had it not been for that cut would have been in order. The Accountant-General through oversight passed that re-appropriation. Therefore, the two mistakes in conjunction led to this excess expenditure. The money had to be paid, because these men were officiating as Inspectors; their pay had to be paid, but had the mistake been detected within the year, the expenditure could have been regularised. It was only when the accounts were finally drawn up that the two mistakes—the one in the Secretariat and the other in the Accountant-General's office—were detected. There was a corresponding saving of Rs. 16,000 of course on the other side. With that saving, if the mistakes had been detected within the year, the expenditure could have been regularised by re-appropriation, but until the Accountant-General had made up the accounts for the year, the mistakes were not detected.

Dr. BIDHAN CHANDRA ROY: I beg to oppose this motion. In the first place, I have mentioned to you already that the Report of the Public Accounts Committee has been supplied to us at a stage when it was not possible for us to be prepared with all the points that we were likely to put forward against this proposal. As a matter of fact, we are not able to see at the present moment that there is a corresponding saving, as the Hon'ble Mr. Marr has suggested. We have not the budget estimate before us; otherwise, we could have inquired into this matter. I suppose you will agree that most of the members of the Council have some profession or business of their own, and unless they see that there is a point in going to the Secretariat for inquiring into a particular point, it would not be possible for any member to take the step you have suggested.

Mr. PRESIDENT: May I inquire whether you are opposing it on grounds which have been disposed of by me?

Dr. BIDHAN CHANDRA ROY: No. This is a *post-mortem* Report: because the money has been paid already, the expenditure has been incurred. Mistakes have been committed, but no steps have been taken to realise the money from the persons who have made the mistakes. I need not remind the Hon'ble Mr. Marr, who is an astute financier, that it is a fundamental point in every financial arrangement when as is apparent in page 27 of the Report that if there is a mistake, that is, the administrative department which is responsible should have informed the Commissioner of Police, the administrative department should be made responsible for the excess expenditure

over the budget grant. The third point for which I oppose this motion is that the mistake which Mr. Marr has admitted shows clearly that no attempt was made by the administrative department or by the Commissioner of Police to know what the members of the Council felt on a particular issue. It is very disgusting to find that the object of a cut made purposely in this Council should have been frustrated by the administrative department in this way. On these grounds, I oppose the sanctioning of this excess grant.

Babu BEJOY KRISHNA BOSE: In opposing this grant, I beg just to inquire whether the Government departments take this Council seriously or not. They know very well that with regard to the pay of the Inspectors in the Calcutta Police this Council did not grant the amount demanded, and there was a cut of Rs. 10,000. I would like further to know whether the Commissioner of Police, Calcutta, at all takes any interest in the affairs of this Council. I also want to know whether he knew that when he demanded an increase of pay for his Inspectors, the Council refused it. We are told at page 25 of the Report on Public Accounts, that Mr. F. D. Bartley was called in as a witness, and he told the Public Accounts Committee that the Commissioner of Police was not informed that the Council had made a cut of Rs. 10,000. Therefore, he not only spent the amount which he demanded, but made an excess payment of Rs. 14,000; consequently, the excess expenditure actually came to Rs. 24,000. I should like to know, if that is the way in which the decision of the Council is looked upon, not only by the Secretariat but also by the Police Department. It is admitted (and the Hon'ble Mr. Marr has quite frankly admitted) that there was a mistake in the Secretariat as well as in the Accountant-General's office, in that they never sent up the re-appropriation notice to the Government in time. Might be there were two mistakes committed in two responsible offices of Government, but the people primarily responsible were the members of the administrative branch of the Secretariat where there were and are so many Deputy Secretaries, Assistant Secretaries and Personal Assistants and so forth, and they knew very well that this Council had made a cut of Rs. 10,000; they went on doing their work without informing the Commissioner of Police about the cut. Under these circumstances, if anybody has to pay, it is the members of the administrative branch of the Secretariat, or the pay of the poor Sergeants, who have received the increase of salary, must be made to refund. The members of the administrative department who have made the mistake must pay, and not the rate-payers of this country.

Mr. C. C. COOPER: I fully appreciate and sympathise with the remarks of the two hon'ble speakers, because, for once, my party on the question of principle is entirely in accord with the view of the party on the other side of the House—that it is utterly wrong that this

Council having once made a cut, their views should not be respected. That point and the various other points referred to by previous speakers were thoroughly gone into by the Public Accounts Committee—a Committee elected by the members of this Council. When first I saw this token cut of Re. 1 on the agenda, my first inclination was that we should support the motion; but I find that if we did so, we should not be following the constitutional practice of the House of Commons, where it is the practice for the House always to support the Report of its Public Accounts Committee. That being so—and I believe during the last 80 years there has not been a single case where the House has refused to support such a report—I am of opinion that this vote is really not a vote of protest to the Government, but a vote of censure on the Public Accounts Committe, which Committee consists of members of all parties of this House. We in the Public Accounts Committee made it quite clear to those concerned that, while we were satisfied with their explanation, we would not tolerate any repetition of such mistakes in future. With these words I oppose the motion for reduction.

Rai HARENDRANATH CHAUDHURI : I rise to oppose this grant. I do not understand why the Legislative Council should be compelled to sanction the very grant which was rejected by it for the fault of the administrative department. It is said that when the Public Accounts Committee have recommended this excess grant the Council must take that into consideration, on the analogy of the practice in the House of Commons as regards the recommendations of the Public Accounts Committee. There they have a Public Accounts Committee and here we have one such, but the analogy only ends there. There is no reserved department in England and no power of certification vested in anybody there. Here the Government, which always takes pride on its super-efficiency, can always ask the person who enjoys the power of certification to exercise that right. The Legislative Council should not be asked to remedy the defect by restoring one of its rejected grants and thus condone the faults of those super-efficient men who have ignored the vote of the Legislative Council.

Mr. J. M. SEN GUPTA: I have only one word to say on this demand. The claim has always been made by the Indian Civil Service who fill the Secretariat that they are very, very efficient. But so far as the present instance is concerned, that claim, as admitted by the Hon'ble Mr. Marr, is not so strong to-day as it was before. I should like to know why the Hon'ble Mr. Marr comes before the Council with this demand for an excess grant when he knows that under the law—this being a reserved subject—His Excellency the Governor could certify the expenditure? He could have taken up this matter to the Governor,

and the Governor would have been perfectly justified in certifying it. We refused to pass this demand and not only that, we made a cut of Rs. 10,000 in that demand, but we find that through a mistake committed in two departments of the Secretariat, the Commissioner of Police spent not only that amount of Rs. 10,000 but also Rs. 4,813 in addition!

4-45 P.M.

That is the position. If any proof were necessary to show that the Secretariat were incompetent, that proof is here, and I think, that it is most humiliating for this Council to now pass this demand and to be told: "Oh the Secretariat has made a mistake. The Commissioner of Police has not time to look into the deliberations of this Council with regard to his own department and with regard to the demands with which he is personally concerned." It is most humiliating to be told: "Oh, we have made these mistakes. No doubt, although we have got the power to certify this demand, we ask you to pass it." I would ask you, Sir, to consider this position. Supposing there are other mistakes committed like these by a department, and although the Council had refused to pass a certain demand, no notice is taken of that refusal. Then, after a year they come before us and say: "We know you refused this demand, but through mistakes in the Secretariat we spent the money and, therefore, would you kindly sanction this extra demand that we now make?" I think, Sir, we must put a stop to this kind of thing. The Council should not be asked to grant this excess demand. The proper procedure is for them to go to the Governor and ask him to certify it. May I ask why the Hon'ble Member is not going to take the money from the officer who is the head of the department in which the mistake was committed? Has the Government ever done that? Why did not Mr. Marr ask the head of the department who was originally responsible for this mistake to pay the money? Why did he not take that step? Why does he come to us now? I submit that this flouting of the Council's decision should not be tolerated by any House with any self-respect.

Maulvi ABUL KASEM: I understand that when we made a cut, the Government could very well go up to His Excellency and ask him to certify the grant. From this I can easily presume that the Government thought that this cut was not a very unreasonable one, and that the administration of the Calcutta Police could very well get on without this money, as otherwise they would have gone up to His Excellency for certifying this grant. Another question that arises is—I have been told and from the report it appears—that the Commissioner of Police had no information about the cut made by this Council. I submit, Sir, that whenever a budget is prepared, unless that budget is sanctioned, and sanction communicated to the officer, he has no right or business

to spend the money. In this case I want to know, before I record my vote, whether the budget prepared by the Commissioner of Police and submitted to Government was sanctioned by the Government, and whether the sanction was communicated to the Commissioner of Police; and whether he spent the money without receiving the sanction of Government in this matter. If that is so, I think, the person responsible for it should be punished. If the sanction of Government was communicated to him and he was within his rights to spend that money, that would, of course, be a different matter. As regards the excess grant of Rs. 14,000, I think some explanation is necessary as to why this additional sum was necessary for the purpose of carrying on the administration of the Calcutta Police.

Mr. SUBHAS CHANDRA BOSE: I rise not to inflict a speech on this House, but to ask a very simple question of the members on the Treasury Benches. The question is this—Why did not the Commissioner of Police and the Deputy Commissioner of Police find time to follow the proceedings of this House, at least that part of the proceedings which relates to the Police demand? Is it because they are too busy with house-searches or arrests all over the city? Now, Sir, I want this House to reject this demand, because I know that after this rejection the matter will go up to His Excellency for certification; and then His Excellency will have an opportunity of knowing something about the high standard of efficiency maintained by the members of the Indian Civil Service in this unfortunate province. With these few words, I would appeal to this House to reject this demand.

Babu AMARENDRA NATH GHOSE delivered a speech in Bengali, opposing the motion of the Hon'ble Mr. A. Marr.

The following motions were called but not moved and, therefore, deemed to be withdrawn:—

Babu AMARENDRA NATH GHOSE and Babu MANMATHA NATH ROY: 'That an excess grant of Rs. 14,813 in excess of the voted grant in the year 1925-26 under the major head '26.—Police—Reserved—Presidency Police—Calcutta Police—Pay of Establishment—Inspectors' be reduced by one rupee."

The Hon'ble Mr. A. N. MOBERLY: The Hon'ble Mr. Marr pointed out at the beginning, when he moved this motion, that it was due to a mistake made by the administrative department that the cut made by the Council was not communicated to the Commissioner of Police. I thank the members of the House who have spoken on this motion for the certificate which they have given to the service to which

I have the honour to belong by fastening with such glee upon the one mistake which appears to have come to their notice within very many years. I am sorry that the opportunity has been taken to throw jibes at the Commissioner of Police who was in no way responsible for it. He is merely the head of a department; and he has nothing to do with the cut if he is not told officially that the cut has been made. He has no power to act upon what he may see in the Council reports or in reports in the daily press. I am very sorry, indeed, that members have not had time to read the Report of the Bengal Legislative Council Committee on Public Accounts, because, I think, that if they had been able to do so, a good deal of what had been said would not have been said. They seem to assume that the amount of Rs. 14,000 had been taken from the provincial balances by an irresponsible Secretariat official. That is not correct. If they will turn to page 25 of the Report, they will see that the explanation is as follows: for this year the budget for the pay of Inspectors was based on the actual pay, *plus* the cost of officiating allowances given to Sergeants and Sub-Inspectors who officiated as Inspectors in leave and other vacancies. What actually happened was that the total pay drawn by those officers who officiated, not only their officiating allowances, was debited under the head of "Inspectors." The result was that while there was an excess of Rs. 14,813 under the head "Inspectors," there was a corresponding saving of Rs. 16,000 under the head "Sergeants and Sub-Inspectors." There was thus a net saving of about Rs. 1,200. I think it will only be fair if the administrative department is made to pay Rs. 14,813 that they should be permitted to draw this Rs. 16,000 in exchange. I hope, Sir, that after my explanation, the Council will pass the grant. It is purely a matter of accounting. I do, however, express regret on behalf of my department that they should have made this mistake, and I am taking stringent steps to prevent a recurrence of this sort of mistake in future.

Mr. PRESIDENT : The question is.....

Babu JITENDRALAL BANNERJEE : I wanted to say a few words before the Hon'ble Mr. Marr had spoken, but he does not want to speak.

Mr. PRESIDENT : You have no ground to complain of that.

Babu JITENDRALAL BANNERJEE : But I have a point of order, and that is that I have a right to speak till the Hon'ble Member in charge has replied and as he has not done so, I have my right of speech and I insist on that right.

Mr. PRESIDENT : But then you ought to have said so when you first caught my eye. I have already put the motion and I cannot allow you to speak.

Mr. SUBHAS CHANDRA BOSE : I would point out that when the Hon'ble Mr. Moberly stood up, you had already started speaking. In spite of that, in deference to Mr. Moberly, you resumed your seat and gave him an opportunity to address the members of this House; whereas, you are now refusing the same opportunity to another member who stood up to say a few words.

Mr. PRESIDENT : Because the Hon'ble Member in charge had the right of reply, and I thought that the Hon'ble Mr. Moberly rose to speak on his behalf. It appeared to me that Mr. Bannerjee was merely complaining of the fact that the Hon'ble Member in charge had not replied. I cannot, however, allow him to speak now, as I have closed the debate.

The motion that an excess grant of Rs. 14,813 be voted by the Council to regularise the expenditure actually incurred in excess of the voted grant in the year 1925-26 under the major head "26.—Police—Reserved—Presidency Police—Calcutta Police—Pay of Establishment—Inspectors, was then put and a division taken with the following result:—

AYES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Barton, Mr. J. F.
Cassells, Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, C. I. E., of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
Dey, Mr. G. G.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Faroqui, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghose, Mr. M. C.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, Hadji Mr. A. K. Abu Ahmed Khan.
Goenka, Rai Bahadur Badridas.
Gofran, Maulvi Abdul.
Guha, Mr. P. N.
Haque, Khan Bahadur Maulvi Azizul.
Hessain, the Hon'ble Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Hussain, Maulvi Latafat.
James, Mr. F. E., O.B.E.
Khan Chaudhuri, Mr. M. Ashraf Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Lindsay, Mr. J. H.
MacBean, Mr. J. A.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A., C.I.E.
Martin, Mr. O. M.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder, Kt., C.I.E.
Moberly, the Hon'ble Mr. A. N., C.I.E.
Mukerji, Mr. S. C.
Nazimuddin, Mr. Khwaja, C.I.E.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur.
Raikat, Mr. Prasanna Deb.
Ray, Babu Nagendra Narayan.

Ray, Maharaja Jogindra Nath, of Nator.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Reid, Mr. R. N.
Roy, Mr. Bijoy Prasad Singh.
Sachse, Mr. F. A.
Sanyal, Babu Sachindra Narayan.
Sarbadhikari, Dr. Sir Deva Prasad, Kt., C.I.E., C.B.E.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Sahib Abdus.
Shah, Mr. Gholam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Skinner, Mr. S. A.
Solaiman, Maulvi Muhammad.
Stuart-Williams, Mr. S. C.
Tate, Major-General Godfrey, M.B., V.H.S., I.M.S.
Thompson, Mr. W. H.
Travers, Mr. W. L., C.I.E., O.B.E.
Wordsworth, Mr. W. C.

NOES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Biswas, Babu Surendra Nath.
Bose, Babu Bijoy Krishna.
Bose, Mr. S. C.
Bose, Mr. Subhas Chandra.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Narendranath.
Choudhury, Maulvi Khorshed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Himatsingka, Babu Prabhu Dayal.
Hoque, Kazi Emdadul.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Lala, Babu Saroda Kripa.
Maiti, Babu Mahendra Nath.
Mazumdar, Rai Bahadur Jadunath, C.I.E.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Hem Chandra.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Babu Radha Gobinda.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N., Bar.-at-Law.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

The Ayes being 65 and the Noes 47, the motion was carried.

5 P.M.

Babu JOGINDRA CHANDRA CHAKRAVARTI: On a point of order, Sir. Can there be any division after the President said "Noes have it" twice? First he said, "I think the Noes have it," and then he said "Noes have it."

Mr. PRESIDENT: A member has a right to call for a division after I have said "I think the Noes have it." I believe Mr. Marr did so at the right moment.

The Hon'ble Mr. A. MARR: I am quite certain that I called for a division before the President said "the Noes have it."

Babu JOGINDRA CHANDRA CHAKRAVARTI: Mr. Marr called for a division after the President had said, "the Noes have it" for the second time.

Mr. PRESIDENT: I think Mr. Marr called for a division after I said, "I think the Noes have it." If you wanted to raise this question, you ought to have done so when I ordered a division. You are, I am afraid, too late now.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that an excess grant of Rs. 59,295 be voted by the Council to regularise the expenditure actually incurred in excess of the voted grant in the year 1925-26 under the major head "45—Superannuation allowances and pensions."

This excess occurred under two minor heads—"Superannuation and retiring allowances" and "Commuted value of pensions." The figures put in the budget under these two heads have to be arrived at by guess. The expenditure under these heads is obligatory, in so far as it represents pensions payable to retired officers and the commuted value of those pensions. During the year 1925-26, it was seen that the grant was going to be exceeded and a supplementary grant of Rs. 1 lakh was asked for and voted by this Council under this minor head, in order to bring the grant up to the revised estimate of Rs. 45 lakhs. That estimate was considered quite safe, in view of the 10 months' actuals, but the actuals for February and March were very considerably in excess of the average monthly actuals for the previous portion of the year, and this resulted in the expenditure exceeding the grant by Rs. 59,000 odd. The excess was, however, less than 1 per cent. of the total expenditure. A supplementary grant of Rs. 5,20,000 was also taken under the minor head "Commuted value of pensions," bringing the total grant up to Rs. 10,30,000. The expenditure under this minor head exceeded the grant by Rs. 24,000, which is equivalent to less than ½ per cent. of the total expenditure. The excess was due to payments representing the commuted value of pensions payable to other local Governments on account of the pensions drawn by Bengal officers from treasuries in other provinces. Adjustments on account of this expenditure are made by the Accountant-General's office after the close of the year, and so it is extremely difficult for the Finance Department to foresee what the actual expenditure will be.

Babu BEJOY KRISHNA BOSE: Sir, I beg to oppose this motion, and, in doing so, I want to draw the attention of the House to page 3 of the Report on Public Accounts, which has been circulated to us. With regard to this excess amount of superannuation pension to the extent of Rs. 59,295, it is said in paragraph 2 that these "comparatively small sums" should be provided by the Legislative Council by an excess vote. Government may consider an amount of nearly Rs. 60,000 as a comparatively small sum.

The Hon'ble Mr. A. MARR: A Committee of this House has recommended this.

Babu BEJOY KRISHNA BOSE: Very well, a Committee of this House consider Rs. 60,000 as a small amount, which they have asked this House to grant; but if you look to the bottom of that page, you will find that they at the same time report that "it is essential that the expenditure in these cases should not exceed the grant without the vote of the Council." In this case, however, the vote of the Council is sought after the amount has been spent. On these grounds, I oppose the motion.

The Hon'ble Mr. A. MARR: I would point out that these charges are obligatory. As accurate a guess as possible is made, and this Council is asked to vote a supplementary demand when that guess falls short of the actuals. It is not possible to make an absolutely correct guess, and in that particular year the expenditure exceeded the estimates by 1 per cent. in the one case and by less than ½ per cent. in the other.

The following motion was then put and agreed to:

"That an excess grant of Rs. 59,295 be voted by the Council to regularise the expenditure actually incurred in excess of the voted grant in the year 1925-26 under the major head "45.—Superannuation allowances and pensions."

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that an excess grant of Rs. 8,989 be voted by the Council to regularise the expenditure actually incurred in excess of the voted grant in the year 1925-26 under the major head "46.—Stationery and printing."

This excess was due to two causes. Ordinarily, in framing this budget head, all recoveries from other Governments for stationery and printing charges are taken as deductions from the expenditure side of the budget. These deductions are generally settled after the year is over. In this particular year, the *deduct* entries from other Governments were less than what was anticipated at the time of the budget. The other cause was that a recovery of Rs. 30,000 from the Central Government during that year was shown in this year's budget, but the Accountant-General held that, as it was for services rendered in the previous year, it should be shown in the previous year's accounts. If that item had been shown in the 1925-26 budget, as was anticipated, there would have been no excess at all.

The motion was then put and agreed to.

LEGISLATIVE BUSINESS.

Government Bill.

The Bengal Borstal Schools Bill, 1927.

Mr. PRESIDENT: Gentlemen, I have it in command from His Excellency the Governor to put before you under Standing Order 55 (section 66 of the Rules and Standing Orders) "the Bengal Borstal Schools Bill, 1927" as passed in Council on the 24th August last. The Bill has been returned by him under section 81A, sub-section (*1*), of the Government of India Act, for reconsideration in part only, namely, for the re-insertion of clause 4 of the Bill as introduced in Council on the 23rd August, 1927. I now call upon the Hon'ble Member in charge, the Hon'ble Maharaja Bahadur of Nadia, to move the motion which stands in his name in the List of Business as item No. 11.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: Sir, I beg to move that after clause 3 of the Bengal Borstal Schools Bill, as passed in Council on the 24th August, 1927, the following clause be inserted, namely:—

Application of the Prisons Act, 1894, and the Prisoners Act, 1900.

"3A. Subject to the provisions of this Act, the provisions of the Prisons Act, 1894, and the Prisoners Act, 1900, shall apply to a Borstal School established under this Act as if it were a prison and an inmate thereof a prisoner."

In moving this motion, I want to explain the position as to why His Excellency the Governor has been obliged to send the Bill back to the Council. Everyone of us here will remember that on the 24th August, 1927, this Bill was passed by the Council, with certain amendments, the most important of which was the omission of the clause numbered 4 in the original draft of the Bill. This clause was deleted from the Bill on the motion of Babu Jogindra Chandra Chakravarti, in spite of the opposition of Government. The member in proposing the omission of the clause based his arguments on grounds which were more sentimental than anything else, because he was of opinion that the idea of prison should not be associated with that of a Borstal institution. In reply, I explained that there was a similar clause in the Madras and the Punjab Acts, and that the deletion of the clause would tend to serious administrative difficulties as regards the safe custody of the inmates and enforcement of discipline over the inmates and officers of the Borstal

School. It was emphasised that adolescent offenders were not innocent schoolboys and that the school was not merely to be a school, but a place of detention for youthful offenders, and some of the legal difficulties involved in the omission of the clause were also indicated. In spite of this, the clause was deleted by the vote of the Council. I would state here in detail the reasons why the re-insertion of this clause is essential. Sir, the Prisons Act is the fundamental Act relating to prisons, and by its authority all prisons are constituted and managed. It contains legal definitions of such words as "prison," "criminal prisoner," "civil prisoner," etc., lays down the duties of Government and the officers of Government as regards prisons, gives authority to control and punish inmates, defines prison offences, and gives power to the Governor-General in Council and to the local Government to make rules. The Prisoners Act is chiefly concerned with the nature of the authority on which prisoners can be committed to custody, the regulation of sentences, the transfer of prisoners to and from Courts, and their removal from one jail to another. It is not a practicable proposition to make the Borstal Schools Act self-contained without reference to these fundamental Acts, because no Act is entirely self-contained. It always is related to other laws and Acts, either expressly or by implication.

I would now enumerate the particular difficulties which will arise from the omission of this clause, so far as the present Act is concerned. Section 7 of the Prisons Act gives power to the Inspector-General of Prisons to transfer in an emergency, owing to overcrowding, epidemic diseases and causes like that, prisoners from one existing jail to a temporary jail. Without this power in the case of a Borstal School, the Inspector-General of Prisons would be greatly handicapped in case of a serious outbreak of epidemic disease.

Then Chapter X enables the Superintendent of a jail to prosecute warders and other persons who introduce prohibited articles in and out of a jail, or communicate with a prisoner contrary to rule. It is necessary that the Superintendent of a Borstal School should have this power, otherwise serious abuses would be likely to arise. No rules under the Borstal Act could give powers similar to those conferred by Chapter X of the Prisons Act; and the same arguments apply to section 54, which gives power to prosecute jail officials for neglect of duty. Everyone will admit that if there is neglect of duty, it should be proceeded against, and this is the section under which we take action. Section 55 is a most important section. It lays down that a prisoner in transit to or from prison, or working outside, under the lawful custody or control of a prison officer, shall be deemed to be in prison. But for this section, the legal position in case of the escape of a Borstal inmate, while actually outside the walls of a school, would not be clear. It is very necessary that Borstal inmates should be in strict legal custody

at all times and that the legal powers of their custodians for preventing their escape from custody should be similar to the existing powers in case of ordinary convicts.

Now let us take the Prisoners Act. Part IV of this Act lays down what sentences, orders or warrants of Court are to be given effect to outside the Presidency towns, and what is to be done in case of doubt about the legality of a warrant. Part VI gives power to the Governor-General in Council to remove prisoners from one province to another, and to the local Government gives power to deal with lunatic prisoners. Part IX lays down the manner of securing the attendance in Court of persons confined in a prison.

The Prisoners Act, by sections 14, 28 and 34, makes Parts IV, VI and IX of that Act applicable to Reformatory Schools; and if by the deletion of clause 4 of the present Bill, they are not made applicable to Borstal Schools, there will be difficulties about the legality of warrants, about the transfer of a Borstal inmate to a province in which his home or friends may be, about the sending of Borstal inmates to and from Court, and about the service on them of processes of a Court.

So much for the usefulness of clause 4. I may now mention the uses to which it is not intended to apply clause 4. I must make it perfectly clear that it is not the intention of Government to use this provision, if inserted, so as to inflict all the rigours of jail life on Borstal inmates. Everyone will admit that a Borstal School is half a prison and half a school. It aims at the prevention of crime by the committing of adolescent offenders to custody, not with the object of punishing them for their crimes, but with the object of bringing reformatory influences to bear upon them.

I have nothing further to add, and I would ask the House to allow my motion to be carried.

[At 5-30 P.M. the Council was adjourned, and it re-assembled at 5-45 P.M.]

5-45 P.M.

Babu BEJOY KRISHNA BOSE: I beg to move that in clause 3A of the Bill—

(*a*) the words "subject to the provisions of this Act" be omitted;

(*b*) after the figures "1900," the words "in so far as they are not inconsistent with the scheme and objects of this Act" be inserted; and

(*c*) the words "as if it were a prison and an inmate thereof a prisoner" be omitted.

It was only a few months ago that in the original Bill there appeared section 4 which is now section 3A, as proposed to be included

in this Bill. The Council will remember that at that time, on the motion of my friend Babu Jogindra Chandra Chakravarti, this very clause was omitted. It seems to me a matter of regret that His Excellency has been advised to send back the Bill for the inclusion of this section which was rejected by the Council. The reasons given then, and referred to by the Hon'ble Member in charge which he has repeated to-day, were that unless that section was included in this Bill there would be "serious administrative difficulties." The second ground given then, in August last, by the Hon'ble Member in charge, was that there was a "legal aspect" which we ought not to forget, namely, that there were many things in the Prisons Act and the Prisoners Act which ought to apply to this Bill. These were the two reasons, but he did not give any details. This he has tried to do to-day, perhaps after reading the sections of the Prisons Act and the Prisoners Act.

What I beg to move with reference to the first portion of this section is that the words "subject to the provisions of this Act" as it stands now in clause 3A be omitted. It seems to me that there is some mistake in drafting. Of course, I am a humble lawyer, but I have consulted many eminent lawyers, who think that an Act of the Bengal Council shall govern an Act of the Governor-General's Council is a thing which is hardly conceivable. Subject to the provisions of this Act as it runs now, the provisions of the Governor-General's Acts—the Prisons Act and the Prisoners Act—should apply to this Act, that is, under certain modifications, to be made to fit in with the scope of the Act of this Council. The same thing in a better form and in better drafting is to be found in my amendment, namely, that the Prisons Act, 1894, and the Prisoners Act, 1900, "in so far as they are not inconsistent with the scheme and objects of this Act" shall apply to the Borstal Schools established under this Act. I think it is better drafting, but I do not know what the Legislative Department will say. Of course, the Legislative Department will think that they are right, but it is ordinary common sense that the Act of a minor Council, namely, a Governor's Council, cannot govern the Acts of a major Council, namely, the Governor-General's Council, and I think that a better drafting would be as I have suggested.

Then I further move that in the last clause the words "as if it were a prison and the inmate thereof a prisoner" be omitted. I do not remember who it was that said (I read it long ago) that if you increased the number of schools, your prisons would disappear, and there would be no necessity for prisons. Under this Act, what are you going to do? You are going to make an inmate of a Borstal School a prisoner and a Borstal School itself a prison. If you look to section 14 of the Bill as it was passed in August, you will find that there is a distinction between a prison and a school in it. Section 14 (marginal note) allows the transfer of incorrigible adolescent offenders from Borstal Schools to

prisons; so you make a distinction between a school and a prison. But by this new section you are going to convert a school into a prison, as if your Borstal School were a prison and the inmates thereof prisoners. What are the grounds on which the Hon'ble Member in charge is trying to foist upon this Bill the provisions of the Prisons Act and the Prisoners Act, and to ask us to consider the school as a prison and the inmates and adolescent offenders as prisoners?

The Hon'ble Member has taken us, chapter by chapter, through the Prisons Act and the Prisoners Act. I read these two Acts a long time ago and have read again carefully during the last two days. If you look to the Prisoners Act, you will find that excepting the last part—Part IX—no other part of that Act can be made to apply to a Borstal School. Part I is only introductory. Part II refers to officers of prisons who detain persons committed to custody. Do you require this part to be applicable to this Bill? Section 7 of the present Bill says that every adolescent offender directed by a Court to be sent to a Borstal School shall be forthwith sent to the place of intermediate custody prescribed in this behalf in respect of such Court. Then the Inspector-General of Prisons shall take immediate steps for the transfer of the adolescent offender from the place of intermediate custody to a prison. Therefore, this section is self-contained and so far as Part II of the Prisoners Act is concerned that provision is already in this Bill. Part III refers to Presidency Magistrates sending people to jail who fail to give security. Under section 7 of the Bill, Presidency Magistrates can do that as well. Part IV refers to officers outside Presidency towns in charge of prisons to give effect to sentences of Courts. If you look to section 7, to which I have already drawn your attention, you will find that it refers to Courts sending adolescent offenders to Borstal Schools. Under section 9 also, the Inspector-General of Prisons has got the power to send an adolescent offender already undergoing imprisonment in jail to a Borstal School, if he thinks him to be a proper person to be detained there. So it gives more power to the Inspector-General of Prisons than is given to a Court under the Prisoners Act. While under Part IV of the Prisoners Act the Magistrate can only send people to jail, under section 9 of the Borstal Bill the Inspector-General of Prisons can send an adolescent offender undergoing imprisonment to a Borstal School. So it gives more power to the Inspector-General. Therefore, Part IV is not necessary for the purposes of this Bill. Part V also has no application, because it deals with persons under sentence of penal servitude. Part VI refers to removal of prisoners from one jail to another. The Hon'ble Member has referred to section 29 of the Prisoners Act where power is given of transferring a prisoner from one prison to another. But under sections 9 and 10 of the Bill, Inspector-General of Prisons has got the power of transferring an adolescent offender from a prison to a Borstal School and from one Borstal School

to another. Therefore, Part VI of the Prisoners Act need not be referred to to govern the Borstal School Bill. Part VII has no application, because it refers to places where persons under sentence of transportation should be kept confined. Part VIII has no application, as it refers to release of prisoners recommended for pardon. If you look to section 11 of the Borstal Schools Bill, you will find that the Inspector-General of Prisons, on the recommendation of the Visiting Committee, can grant a license for the release of an adolescent offender from a Borstal School. It comes to the same thing; therefore, we do not require the invocation of Part VIII of the Prisoners Act, as section 11 is analogous. The Hon'ble Member has referred to Part IX of the Prisoners Act, which provides for the attendance of prisoners to give evidence in Courts and commissions for the examination of prisoners, and service of processes. I am referring to sections 34 to 48 of the Prisoners Act. Under section 15 of the Borstal School Bill, Government can always make rules, and it seems to me therefore that the only part of the Prisoners Act, namely Part IX, which refers to the examination in Courts as witnesses of adolescent offenders, need not be made an excuse for making this Bill be governed by the Prisoners Act when by making some rules the same object may be obtained. Under section 15 of the Bill you can always make rules, and Part IX of the Prisoners Act may be incorporated by rules, and it is not necessary to refer to the Prisoners Act at all.

The Hon'ble Member has taken you through certain sections of the Prisons Act, but I should like to take you through the whole Act itself. The Prisons Act, Chapter II, refers to the accommodation where prisoners ought to be kept. For every prison there shall be a Superintendent, Medical Officers, etc. But for a Borstal School the officers may not be called by awful names, but they may be called, Head-masters, Superintendents, Industrial and Moral Instructors, etc. It is not a good policy for a Borstal School to have as Superintendent a Jailor or Assistant Jailor. When we visited the Sarda Police Training School lately, we found that there the Police officers were called as Principal, Law Officer, Chief Instructor, etc., and these officers are called not by their Police denominations. So Chapter II of the Prisons Act need not be invoked at all. Chapter III refers to the duties of officers of prisons, Superintendent, Jailor, Deputy and Assistant Jailor and so forth. So it has no application to this Bill. Chapter IV refers to prisoners who should be searched, when admitted, medically examined, and things removed from their persons. An adolescent offender when he goes to a jail may be examined by your doctors, so why should you invoke the Prisons Act for this purpose? Chapter V deals with the discipline of criminal prisoners who are made to live in associations, or in cells, or in solitary confinement. Do you want that adolescent offenders should be treated as criminals, that they should be kept in cells, in chains and irons, and that they should be kept in associations?

It is against the spirit of the Borstal Bill by which moral and industrial training are to be given to an adolescent offender. If that be the real object of the application of Chapter V to this Bill, I would sound a note of warning. Chapter VI deals with the food and clothing of civil and unconvicted criminal prisoners and, therefore, has no application. Chapter VII has no application, because it refers to the employment of prisoners, that they should not labour more than nine hours a day, etc. I am sure that in industrial training you do not want them to labour more than nine hours a day. Chapter VIII has no application also, as it refers to treatment of people who fall sick. That is only a humane treatment which I am sure Government will mete out to anyone, whether he is convicted or not, but who is in the custody of any officer of Government. Chapter IX refers to visits of outsiders to civil or unconvicted criminal prisoners. Therefore, it has no application. Reference has been made to Chapter X which relates to prison offences, such as the introduction of articles from outside into jails, as also of prohibited articles. The prohibited articles are mentioned in rule 60 framed by Government under the Act. If you can make rules for the purpose and describe what are prohibited articles, surely, under the Borstal Bill you can prohibit articles being brought inside the Borstal School. What is the good of referring to the whole Act? Chapter XII (section 55) deals with extra-mural custody, control and employment of prisoners. If they go outside jails, they are considered as prisoners. Surely, by rules you can make the inmates of the Borstal School, who for any purpose remain outside the precincts of the school, as still in custody. I have taken the House chapter by chapter through these two Acts, and I find that there is no provision in these Acts which requires to be used for the purpose of working the Borstal School. On the other hand, there are distinct disadvantages which may upset the spirit and purpose of the Bill. All that you require is to make certain rules, and you can make those rules under section 15 of the Borstal Schools Bill, which empowers the local Government to make rules for carrying out the purposes of the Bill. Therefore, the words "as if it were a prison and the inmate thereof a prisoner" ought to be omitted. It is not on sentimental grounds on which I am urging it. The Hon'ble Member has said that Babu Jogindra Chandra Chakravarti moved it in last August on sentimental grounds, but the grounds which I have urged to-day are not sentimental; they are good grounds and real and substantial. I would like the House to see that the operation of this good Act is not frustrated by the introduction of this section by which you allow a Superintendent, a Jailor, an Assistant Jailor to take action under the Prisons Act, which would be detrimental to the interests of the adolescent offenders. I have come across Colonel Hamilton, the Inspector-General, who I think is a very good officer and humane too; but things are often done without consulting the chief or the superiors, and mistakes are often committed in his name,

as mistakes are often made by the police to-day, when things are left in the hands of subordinate officers. Do not allow the Jailors and Assistant Jailors to take action under the Prisons Act against adolescent offenders. Make rules as elaborate as you can, as stringent as you can. Leave the adolescent offenders in the hands of the Visiting Committees, who can make the rules as stringent as possible, but pray do not allow Government to bring in the Prisons and the Prisoners Acts for the purpose of dealing with adolescent offenders whose conduct you are going to rectify in your Borstal Schools by means of moral and industrial training.

Mr. F. E. JAMES: I have listened to the argument of Babu Bejoy Krishna Bose with very great care, for I recognize that he is one of those few members of this House who are particularly interested in the development of the Borstal School, and therefore on that account I desire to make to him and to this House a suggestion which perhaps will meet his difficulties and at the same time ensure the rapid passage into law of this Bill so as to enable the work of the Borstal School to commence. Sir, the Borstal Act as it stands is far from perfect, and nobody in this House can congratulate the Hon'ble Maharaja Bahadur on having produced a perfect Bill There are many defects evident in it even to-day, and many more defects will be disclosed after we have had experience of the work of this new institution

Now it appears that several important principles in regard to the administration of the Borstal institution which is under the Prisons or Jails Department have been omitted from the Bill as it stands, and the Maharaja Bahadur's suggestion is that those principles should be applied to the Bill through the application of the Prisons Act, 1894, and Prisoners' Act, 1900. It does not follow, however, that all the chapters in those two Acts will be used in the administration of the Borstal institution. Those who know the present Inspector-General of Prisons, those who know that he is likely to be advised in the matter by members of the public who are interested in the training of boys in the Borstal institution, will realize that help will be given in the application of both these Acts through the Borstal Schools Act It is true that a Borstal institution is not a prison in the ordinary sense of the word, but a training school for those who are convicted under the Act for criminal tendencies; but Babu Bejoy Krishna Bose must remember that even in England Borstal institutions are technically known as prisons, and the inmates thereof are known as prisoners. My suggestion to him is that, in order to get the Borstal Act through and the Borstal institution working, he should allow the passage through the Council of this clause relating to the application to the Act of the provisions of the Prisons Act and the Prisoners Act. We can test, through the experience of its working in Bengal, the position of the Borstal institution in relation to the conditions of the country and then,

perhaps, after some experience of it we can amend the Borstal Act itself, in order to bring it into line with the conditions of the country and to incorporate the latest principles of Borstal School administration. My feeling is that if you reject the motion now, we should be left without a Borstal Bill, and the only result will be either for the Bill to be referred back again for entire redrafting or to be allowed to go by default for some considerable time. I, therefore, appeal to Babu Bejoy Krishna Bose's keenness to get this work started, and I hope that he will accept my suggestion that all the technical details into which he has gone with so much ability this afternoon be left out for the time being, and that he will allow these new clauses to be added to the Bill. After a short time, when we have had experience of the working of the Bill and of the actual institution itself, then we can get together and amend the Act if necessary, or at any rate so modify the application of the two Acts that have been mentioned, as to give the fullest possible opportunity for the development of the principles of industrial training and education to the inmates of the Borstal institution.

6-15 P.M.

I hope, Sir, that he will allow this clause to be added to the Bill, and after a short time when we have had experience of the working of the Act and of the institution itself, then it will be time perhaps to amend the Act, or, at any rate, to modify the application of the other two Acts, so as to afford the fullest opportunity for the development of the principles of training and education which are to be imparted to these prisoners.

Babu JITENDRALAL BANNERJEE: In supporting, very briefly, the amendment of Babu Bejoy Krishna Bose, I should like to make it perfectly clear that we are not opposed to the Borstal Schools Bill. We all want that the Bill should be passed into law; and to me specially, it is a matter of regret that there has been so much delay in bringing the Act into operation. I cannot help thinking that this has been due to the red-tapism of Government officers and the meticulous overzeal of some learned Pundit of the Legislative Department. It seems to me that the Bill has been sent back under a misapprehension, and I regret to have to observe that the Hon'ble Member in charge is labouring under a sense of imaginary difficulties. The difficulties that he apprehends are three-fold—administrative, legal, and partly relating to the internal control and discipline of Borstal Schools. So far as the legal difficulties are concerned, the Bill empowers the Inspector-General of Prisons and certain Magistrates to send adolescent offenders to Borstal Schools, and consequently there will be no difficulty on the score of illegal detention, such as the Hon'ble Member apprehends. So far as the administrative difficulties are concerned, they—all of them—can be

cured by the rule-making power that has been given by section 15 of the Act. But the difficulty is more serious as regards internal discipline. No doubt, here also the rule-making power can do much. But there are certain difficulties for which the rule-making power cannot provide. It is apt to be forgotten that the Borstal School is not entirely an educational institution. As the Hon'ble Maharaja Bahadur has pointed out, it is partly a school and partly a jail. It is not a school where you send ordinary students; it is an institution where you send convicted offenders; and it may become necessary to impose upon them punishments which an ordinary school or institution cannot inflict by way of school discipline. In so far as punishments by way of school discipline are concerned, the power to inflict them may be given by the rule-making section. But suppose where more serious forms of punishment are necessary, such as the imposition of hand-cuffs, fetters, or gunny clothing, there the provisions of the Prisons Act must be requisitioned. I have throughout been of opinion, therefore, that some of the provisions of the Prisons Act should be made applicable to the Borstal School. But, as I understand, the amendment of Babu Bejoy Krishna Bose, it does not militate against that idea. Babu Bejoy Krishna Bose also agrees that the provisions of the Prisons Act should be applied to Borstal Schools. He only says that those provisions should not be inconsistent with the scheme and provisions of the Borstal Schools Bill, and I think that this is a most necessary safeguard. It is not entirely a question of drafting: the difficulty is a very real one; but, even in point of drafting, the wording of Babu Bejoy Krishna Bose's amendment is much superior to the drafting of the Legislative Department. As the Hon'ble Member has said, the Prisons Act of 1894 is the fundamental Act relating to prisoners, and the Borstal Schools Bill is a subsidiary Act which deals with only a section of the prison-going population. It cannot be contended that the subsidiary Act should govern the provisions of the fundamental Act. Rather, it stands to reason and law that the provisions of the fundamental Act should govern the provisions of the subsidiary Act. Therefore, I think the drafting of the Legislative Department is defective and the drafting of Babu Bejoy Krishna Bose's amendment is much superior. What he says is that the provisions of the Prisons Act should apply to the inmates of Borstal institutions when they are not inconsistent with the provisions of the Borstal Schools Act. That is exactly what the Hon'ble Member wants, and I should, therefore, ask him to accept the amendment.

There is another part of the amendment which receives my unqualified support, *viz.*, as regards the omission of the words "as if the school were a prison and the inmates thereof prisoners." One great point about prison reform is that you must awaken the self-respect of the prisoners; and you cannot awaken their self-respect if you make them

feel at every step that they are prisoners, moral lepers, that they should be segregated from the ordinary population, and so forth. You must make them forget that they are prisoners; and how can they forget it if you insist upon treating them as prisoners even in your Borstal Act? Prison reform is lagging behind in this country, because of the apathy and indifference of the public, and that apathy and indifference is to a certain extent due to the fact that the Government does not take the public into their confidence. And if you persist in that policy even in your Borstal Act, which is a very necessary measure of reform, then the Act is bound to be infructuous, in spite of all your pious wishes and intentions. To orate public sympathy and confidence is the essential condition of success for such a measure as this, and the Government should take the first step towards it by accepting the very reasonable, moderate, and proper amendment that has been brought forward by Babu Bejoy Krishna Bose.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: It appears to be as a little bit curious as to why Babu Bejoy Krishna Bose, who very nearly dissected every section of the Act at the very first stage, did not consider this clause worth his while to examine. He, perhaps, thought that this clause was alright and he, therefore, did not raise his little finger at that time. It is also curious that my other friend, Babu Jogindra Chandra Chakravarti, who had disapproved of the section at the last session, by his silence, now approves of the section. Let us assume it so for the moment until the contrary is proved. Then, my friend, Professor Banerjee, did not raise any discussion on this before. I admit that no Act can be perfect, and I endorse whatever Mr. James has said, namely, "give this Act a trial and see how it works."

In the first place, in sub-clause (*a*), my friend wants that the words "subject to the provisions of this Act" be omitted in so far as they are inconsistent with the schemes and objects of this Act. Now, what are the schemes? I do not remember to have come across such a phrase in any Act. My knowledge of law is very, very limited, and I stand to correction, but I do not think that it is a legal phrase; and it is the Legislative Department whose advice we generally seek in the matter of drafting. So far as the drafting is concerned, we have got to follow the precedent of the Madras and the Punjab Acts. Madras is the pioneer so far as the Borstal School is concerned, and they have already introduced this very section, and we have taken it from the Madras and the Punjab Acts; and until the contrary is proved, we must assume that it is working satisfactorily there. If, however, it is ultimately found that it is not working well in Bengal, any member of the Legislative Council may try to get the law amended.

Then, Sir, with regard to the last clause, my friend says that the words "as if it were a prison and the inmate thereof a prisoner"

be omitted. Sir, English is not my mother tongue, nor my friend's, but as we read it, I think if he puts the proper interpretation to the words "as if," it would clearly be seem that they are not really to be treated as prisoners.

I have nothing further to add, and I press that this motion be carried.

The motion that in clause 4A of the Bill (*a*) the words "subject to the provisions of this Act" be omitted, (*b*) after the figures "1900," the words "in so far as they are not inconsistent with the scheme and objects of this Act" be inserted, and (*c*) the words "as if it were a prison and an inmate thereof a prisoner" be omitted was then put and a division taken with the following result:—

AYES.

Bagchi, Babu Remes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banarjee, Babu Premetha Nath.
Bannerjee, Babu Jitendralal.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Bose, Mr. Subhas Chandra.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjea, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Gupta, Mr. Jogesh Chandra.
Himateingka, Babu Prabhu Deyal.
Hoque, Kazi Emdadul.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Nasker, Babu Hem Chandra.
Rahman, Maulvi Azizur.
Rahman, Maulvi Shamsur-.
Ray, Babu Radha Gobinda.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Dr. Sidhan Chandra.
Roy, Mr. D. N., Bar.-at-Law.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Nalinirenjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Atiquilah, Mr. Syed Md.
Barten, Mr. J. F.
Casselis, Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, C. I. E., of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
Dey, Mr. G. C.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Farequi, Khan Bahadur K. G. M.
Ghose, Mr. M. C.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, Hadji Mr. A. K. Abu Ahmed Khan.
Goenka, Rai Bahadur Badridas.
Gofran, Maulvi Abdul.
Guha, Mr. P. N.
Haque, Khan Bahadur Maulvi Azizul.
Hosain, the Hon'ble Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Hussain, Maulvi Latafat.
James, Mr. F. E., D.B.E.
Kasem, Maulvi Abul.
Khan Chaudhuri, Mr. M. Ashraf Ali.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Lindsay, Mr. J. H.
MacBean, Mr. J. A.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A., C.I.E.
Martin, Mr. O. M.
Mitter, the Hon'ble Sir Provash Chunder, Kt., C.I.E.
Moberly, the Hon'ble Mr. A. N., C.I.E.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.

Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahim, Sir Abd-ur-, K.C.S.I.
Rahman, Mr. A. F.
Rauf, Moulvi Syed Abdur.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Reid, Mr. R. N.
Roy, Mr. Bijoy Prasad Singh.
Sachse, Mr. F. A.
Sadeque, Maulvi Mohamed.
Sanyal, Babu Sachindra Narayan.
Sarker, Rai Sahib Rebati Mohan.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Suhrawardy, Mr. H. S.
Tate, Major-General Godfrey, M.B., V.H.S., I.M.S.
Thompson, Mr. W. H.
Travers, Mr. W. L., C.I.E., O.B.E.
Wordsworth, Mr. W. C.

The Ayes being 35 and the Noes 63, the motion was lost.

The following motion was then put and agreed to:—

"That after clause 3 of the Bengal Borstal Schools Bill, as passed in Council on the 24th August, 1927, the following clause be inserted, namely :—

Application of the Prisons Act, 1894, and the Prisoners Act, 1900.

"3A. Subject to the provisions of this Act, the provisions of the Prisons Act, 1894, and the Prisoners Act, 1900, shall apply to a Borstal School established under this Act as if it were a prison and an inmate thereof a prisoner."

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia : I beg to to move that the Bill, as now further amended, be passed.

The motion was put and agreed to.

NON-OFFICIAL BUSINESS.

Non-official Members' Bills.

The Calcutta University Bill, 1927.

Dr. PRAMATHANATH BANERJEA: Sir, I beg to move for leave to introduce a Bill to amend the law relating to the University of Calcutta. Unless any objection is taken, I do not think I need make any speech at this stage.

The motion was put and agreed to.

The Secretary then read the short title of the Bill.

Dr. PRAMATHANATH BANERJEA: Sir I beg to move that the said Bill be referred to a Select Committee consisting of the Hon'ble Nawab Musharruf Hossain, Khan Bahadur, Hon'ble Sir Provash Chunder Mitter, KT., C.I.E., Mr. J. H. Lindsay, Mr. E. F. Oaten, Dr. Sir Deva Prosad Sarbadhikari, KT., C.I.E., C.B.E., Mr. S. C. Bose, Dr. Bidhan Chandra Roy, Sir Abd-ur-Rahim, K.C.S.I., Rai Harendranath Chaudhuri, Babu Jitendralal Bannerjee, Mr. W. C. Wordsworth, Babu Bejoy Krishna Bose, Babu Manmatha Nath Roy, Babu Akhil Chandra Datta, Kazi Emdadul Hoque and myself, with instructions to submit report on or before the 31st January, 1928, and that the number of members whose presence shall be necessary to constitute a quorum shall be seven.

Mr. P. N. GUHA: On a point of order, Sir. Is there a quorum?

[On a count being taken, it was found that the requisite number of 25 was present.]

Dr. PRAMATHANATH BANERJEA: Sir, the Calcutta University was established by an Act of the Governor-General's Council in 1857, in accordance with the principles laid down in the despatch of 1854, with which is associated the name of Sir Charles Wood. For nearly 50 years, this Act was in operation, and considerable progress was made in the spread of higher education under the provisions of this Act. This Act provided for the appointment and the election of Fellows of the Calcutta University for life, and it was felt early in the present century that the educational progress of the country was achieved in a manner which was not desirable in the interest of the country. Lord Curzon, therefore, appointed a commission in 1902, which reported before the end of that year. The recommendations of this commission were of a very reactionary character, but the admirable note of dissent.... ....

Mr. D. J. COHEN: On a point of order, Sir. Is there a quorum?

[On a count being taken, it was found that the requisite number was not present.]

Adjournment.

There being no quorum present, the Council was adjourned at 6-40 P.M., till 3 P.M. on Wednesday, the 14th December, 1927, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 14th December, 1927, at 3 P.M.

Present:

The Hon'ble the President (RAJA MANMATHA NATH RAY CHAUDHURI, of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers and 123 nominated and elected members.

Oath or Affirmation.

The following member made an affirmation of his allegiance to the Crown:—

Mr. A. K. Fazl-ul-Huq.

Point of order.

Babu JITENDRALAL BANNERJEE: On a point of order, Mr. President, may I draw your attention to section 35 of the Rules and Standing Orders of the Bengal Legislative Council. In that section it is provided that if a supplementary question has been asked the Hon'ble Member or Minister concerned, if he is not prepared to give an answer immediately, may ask for notice of that question, and this supplementary question should then be treated as a fresh question to be answered at a subsequent meeting of the Council. Has your attention been drawn to this rule? Are you aware that supplementary questions have never been answered?

Mr. PRESIDENT: Can you give me an instance?

Babu JITENDRALAL BANNERJEE: At the last July session there were at least one hundred supplementary questions put; notice was asked of these questions. They ought to have been answered, but up till now no answers have been given.

Mr. PRESIDENT: Was the Secretary formally asked to carry over those questions to the next session to be answered?

Babu JITENDRALAL BANNERJEE: That is not necessary. I shall read out the section to you:

"The Member of the Government to whom a supplementary question is put may, if he is not prepared to give an answer immediately,

ask for notice of the question, in which case the supplementary question shall be treated as a fresh question to be answered at a subsequent meeting of the Council."

In the note it is provided that "no further notice is necessary," and the supplementary question itself is a sufficient notice.

Mr. PRESIDENT: Do you not agree with me when I say that this subsequent meeting at which these questions should be answered must be in the same session? If they are to be answered in the next session, fresh notice has got to be given by members concerned.

Babu JITENDRALAL BANNERJEE: The Rules and Standing Orders do not provide for a notice. You ought to go by the language of the section.

Mr. PRESIDENT: There was no subsequent meeting in that session. You do not seem to realise that.

Babu JITENDRALAL BANNERJEE: If certain questions cannot be answered at a particular session of the Council, they can be carried over to the next session.

Mr. PRESIDENT: I will inquire and find out what has been the practice hitherto, but I am afraid that the construction sought to be put on Rule 35 by you is far-fetched.

Mr. S. C. BOSE: Rule 35 does not contain the words "subsequent meeting of the same session of the Council." The words are "at a subsequent meeting of the Council."

Mr. PRESIDENT: I quite understand your point, Mr. Bose, but it means a subsequent meeting of the same session

Babu JITENDRALAL BANNERJEE: May I call your attention to the note appended to the section. That note describes the method to be followed, and the direction contained in the note has been violated by the office of the Legislative Department. The note says:—

"When a supplementary question is asked at any meeting, and the Member in charge declines to answer it without notice, the official reporter shall, after the meeting, read out his record to the member who asked the question, and shall make any necessary corrections in it.

"The said record shall then be taken as notice of the supplementary question, and the question shall be dealt with as provided by the Rules and Standing Orders, and, if not disallowed, shall be answered at a subsequent meeting of the Council."

There is any number of "shalls."

Mr. PRESIDENT: Mr. Bannerjee, I think you know very well that these notes are not rules. They are simply a record of the practice to be followed.

Maulvi ABUL KASEM: There will be no more meetings of the Legislative Council this session after to-day. Are we to understand that all supplementary questions put to-day, of which notice will be asked for, will not be answered at all?

Mr. PRESIDENT: I have already explained that you have to write to the Secretary telling him that you want these questions to be carried over and answered during the next session.

Maulvi ABUL KASEM: What about the questions asked yesterday? Will the answers be given to-day?

Mr. PRESIDENT: Yes, all undisposed of questions ought to be taken up to-day.

Rai HARENDRANATH CHAUDHURI: The rule states that all the supplementary questions shall be answered at the next meeting. All the supplementary questions put last evening will have to be answered to-day.

Mr. PRESIDENT: What I mean is this: it will be perfectly right to put those questions to-day, but you need not be surprised if longer notice is asked for. I do not know if Hon'ble Members concerned have come prepared to answer them; if they are ready, I have no objection.

Rai HARENDRANATH CHAUDHURI: Notice has already been given by putting the supplementary questions, therefore the answers are overdue. The questions themselves are notices.

Mr. PRESIDENT: I think the best course to adopt is for you to point out what questions you want to be answered to-day.

[Voices: All, all.]

Rai HARENDRANATH CHAUDHURI: All, every supplementary question put yesterday.

Mr. PRESIDENT: The questions should be put one by one. In the meantime I should like to know if the other side has got to say anything in the matter.

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur, of Nadia): I think some misapprehension exists in this matter. I would inform the

members that Government are always willing and prepared to supply any information asked for, as far as possible, but I think everyone will agree that in respect of some supplementary questions asked at the fag-end of yesterday, it is not possible for the Government to answer them offhand. Unless Government goes into the details and discusses them in the department, it is not possible to answer them to-day. If fresh notice is given.....

Mr. S. C. BOSE: On a point of order, Sir, the rule is obligatory. No such words as the Hon'ble Member seeks to import into the rule, are there. The rule is "the supplementary question shall be treated as a fresh question to be answered at a subsequent meeting of the Council," which is to-day.

Mr. A. K. FAZL-UL-HUQ: Will the Hon'ble Members, make a frank confession that notice is asked when they want to shelve a question and not to reply.

Mr. PRESIDENT: Order, Order.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: The rule says: "When a supplementary question is asked at any meeting and the Member in charge declines to answer it without notice, the official reporter shall, after the meeting, read out his record to the member who asks the question, and shall make any necessary corrections in it." I do not think the official reporter has done that yet so far as yesterday's supplementary questions are concerned.

Dr. BIDHAN CHANDRA ROY: You have just now given your ruling, Sir, that the foot-note of section 35 does not form part of the rule. Why should the Member allude to it?

Mr. PRESIDENT: My ruling is that if a supplementary question has been rightly and properly carried over for to-day's meeting, it has got to be answered. But there can be no harm if I am asked to examine and find out whether a question has been rightly carried over or not.

Rai HARENDRANATH CHAUDHURI: Whose duty is it to carry those questions over? The note says that it is the duty of the official reporter to read out his record to the member who asks the question and make any necessary corrections in it. This is mandatory. It is their duty and not ours. The note further says that "the said record shall then be taken as notice of the supplementary question, and the question shall be dealt with as provided by the Rules and Standing Orders, and if not disallowed, shall be answered at a subsequent meeting of the Council." All these things are mandatory. It is

a duty imposed upon the official reporters and on the Hon'ble Members and Ministers to answer the questions.

Mr. PRESIDENT: I think you are right, but at the same time I must say that the obligation must be mutual. If, for instance, the official reporter wants to have the report of a particular question corrected by the member concerned and he does not find him in the House, it may be impossible to carry over the question to the next meeting. I think it is implied that the member concerned should also see that the supplementary question which he had put but was not answered is properly recorded and carried over. He can then, as a matter of right, insist upon it being answered the next day.

Babu JITENDRALAL BANNERJEE: Notwithstanding your very ingenuous interpretation.....

Mr. PRESIDENT: Order, Order. What do you mean, Mr. Bannerjee?

Babu JITENDRALAL BANNERJEE: I mean it to be a compliment to you, Sir.

Mr. PRESIDENT: That's all right, go on.

Babu JITENDRALAL BANNERJEE: Notwithstanding your interpretation of the rule, the note expressly discharges any duty on our part. It says that the official reporter shall do it. In any case, if the official reporter does not find the member there, he can ascertain his address and communicate with him. The duty is expressly on him.

Mr. PRESIDENT: Instead of prolonging this matter and wasting time, I think the best course open to me is to make a thorough inquiry into the matter and see that in future the duty is not neglected by parties concerned.

Mr. D. N. ROY: Can the practice override the peremptory order of that section?

Mr. PRESIDENT: That question does not arise.

Mr. S. C. BOSE: I respectfully protest from this side of the House against the use of the expression "wasting time." It is not a waste of time when an important point of procedure is being discussed.

Mr. PRESIDENT: May I explain what I actually meant. I did not mean my time alone, but your time as well.

Panel of Chairmen.

Mr. PRESIDENT: I have appointed Mr. M. Ashraf Ali Khan Chaudhuri as one of the Chairmen in the panel.

Starred Questions

(to which oral answers were given.)

Platforms on the stations of the Bandel-Berharwa line.

*46. **Babu KHAGENDRA NATH GANGULY:** (*a*) Is the Hon'ble Member in charge of the Department of Public Works (Railways) aware that the platforms on the stations of the Bandel-Berharwa line are very low, and almost level with the ground?

(*b*) Has the Hon'ble Member's attention been drawn to the inconvenience caused to passengers, especially females, in boarding and getting down from the trains at those stations?

(*c*) Are the Government considering the desirability of drawing the attention of the railway authorities to this matter?

MEMBER in charge of the DEPARTMENT of PUBLIC WORKS (RAILWAYS) (the Hon'ble Mr. A. Marr): (*a*), (*b*) and (*c*) This is a subject which may suitably be referred to the Railway Advisory Committee.

Babu KHAGENDRA NATH GANGULY: Does the Hon'ble Member consider that these questions are too insignificant to engage the attention of the Government?

The Hon'ble Mr. A. MARR: They are not too insignificant. These are subjects which the Advisory Committee was appointed for.

Babu KHAGENDRA NATH GANGULY: Does the Hon'ble Member think it necessary to refer the matter to the Advisory Committee direct?

The Hon'ble Mr. A MARR: No, I leave it to the member.

Srijut NAGENDRA NATH SEN: Does the Hon'ble Member think that Government has no responsibility in this matter?

The Hon'ble Mr. A. MARR: No, the Railway Advisory Committee have been appointed to deal with such matters.

Srijut NAGENDRA NATH SEN: Have Government no control over the Advisory Committee?

The Hon'ble Mr. A. MARR: That is a matter of opinion.

Mr. S. C. BOSE: Is that a matter of opinion, or is it a fact?

Mr. PRESIDENT: If you say that it is a matter of opinion, will you give me your reasons?

The Hon'ble Mr. A. MARR: Railways are under the Government of India; it is not a local question, it is a question for the Central Legislature.

Mr. PRESIDENT: That is a different matter, Mr. Marr.

Mr. S. C. BOSE: Is not the Hon'ble Member bound to answer the question put to him as to whether the Government of Bengal have no control over the Advisory Committee?

Mr. PRESIDENT: It is not a matter of opinion; but I agree with him that it is more or less a question for the Central Legislature.

Mr. S. C. BOSE: The Hon'ble Member has not said so.

Mr. D. N. ROY: Can we not ask questions relating to railways within the province of Bengal, although they are under the Government of India?

Mr. PRESIDENT: No. It is not a local subject.

Babu NALINIRANJAN SARKER: Do not the Government of Bengal appoint members to the Advisory Committee?

Mr. PRESIDENT: Yes, they do, but I have already given my ruling that nevertheless it is a Central Subject.

Mr. S. C. BOSE: Is it the duty of the President to answer questions, or that of the Hon'ble Members?

Mr. PRESIDENT: Order, Order. I have already ruled that it is a matter for the Central Legislature.

Rai HARENDRANATH CHAUDHURI: When this question was admitted under section 25 as a matter of provincial concern, how can the Member now say that it is not a matter of provincial concern?

Mr. PRESIDENT: The supplementary question exceeded the limits the main question as it stands in paper. I rule you out of order.

Faridpur-Charmaguria-Barisal and Rajbari to Jessore Railway projects.

***47. Maulvi TAMIZUDDIN KHAN:** (*a*) Will the Hon'ble Member in charge of the Department of Public Works (Railways) be pleased to state—

(*i*) whether any final decision has been arrived at with regard to the proposed railway extensions from Faridpur to Barisal *via* Charmaguria and from Rajbari to Jessore, and if so, what are the decisions;

(ii) whether according to the traffic report the proposed line from Faridpur to Barisal will be remunerative as a whole; and

(iii) whether separate estimates of profits expected from the Faridpur to Madaripur section and the Madaripur to Barisal section have been prepared?

(b) If so, what are they?

(c) If the Faridpur-Barisal line is not to be taken up in the near future, will the Hon'ble Member be pleased to state whether there is any likelihood of the Faridpur railway station being improved by construction of a raised platform and suitable waiting sheds for male and female passengers? If so, when?

The Hon'ble Mr. A. MARR: (a) (i) The Faridpur-Charmaguria-Barisal railway broad-gauge project has been abandoned. It is proposed to have a scheme for a narrow-gauge railway examined during the present cold weather. The Rajbari to Jessore railway project has been abandoned in favour of a line from Kalukhali to Bhatiapara with an extension to Kamarkhali.

(ii) The answer is in the negative.

(iii) Yes.

(b) The information is not available.

(c) It is proposed to shift the station to a site more convenient to the public, so there is no likelihood of raised platforms or suitable waiting sheds being constructed in the present station

Mr. D. N. ROY: Is not the question to which the Hon'ble Member has just replied a concern of the local Government?

Mr. PRESIDENT: I don't quite follow you?

Mr. D. N. ROY: Is not the question just answered the concern of the local Government?

Mr. PRESIDENT: Why do you ask that question?

Mr. D. N. ROY: If it is a concern of the local Government, and if the Hon'ble Member admits it to be so, then why should not the previous question be answered?

Mr. PRESIDENT: I cannot allow such a question at this stage.

(The Secretary then called out the next question.)

Mr. J. M. SEN GUPTA: When a member is on his feet, is it right for the Secretary to call out the next question? Is it not for you to consider whether this is right and proper according to the rules of this House?

Mr. PRESIDENT: I should be very sorry if I actually asked the Secretary to call out the next question when a member was on his legs, but it is for me and not for Mr. Sen Gupta to say whether I really saw him.

Dr. BIDHAN CHANDRA ROY: It may be that he did not catch your eye, but he caught your ear, because you turned round to him and said that you had passed on to the next question. (Laughter.)

Mr. PRESIDENT: But one with a clear vision should have noticed that I did so after the next question had been called out.

Mr. SUBHAS CHANDRA BOSE: We on this side of the House do seriously desire to bring to your notice that we find it extremely difficult to catch your eye.

Mr. PRESIDENT: All that I can say is that I shall be more watchful in future if it is humanly possible. (Laughter.)

Status of copyists and typists of courts.

***48. Srijut NAGENDRA NATH SEN:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether any scheme to improve the status of copyists and typists in the offices of Civil, Criminal and Revenue Courts in this Presidency, by taking them into the permanent lists of salaried officers, is under the consideration of Government?

(*b*) If so, what is the scheme that is under consideration?

MEMBER in charge of the JUDICIAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) and (*b*) No such scheme is under consideration.

Srijut NAGENDRA NATH SEN: Is the Hon'ble Member aware that the Governments of the United Provinces and Bihar and Orissa have taken this scheme under consideration, and that they are going to have the typists and copyists in the offices of Civil, Criminal and Revenue Courts in the permanent list of salaried officers?

The Hon'ble Mr A. N. MOBERLY: No

Mr. A. K. FAZL-UL HUQ: Was any such scheme ever under the consideration of Government?

The Hon'ble Mr. A. N. MOBERLY: I do not know.

Mr. A. K. FAZL-UL HUQ: Does the Hon'ble Member not know, or is it that he wants notice? I have put the question and I want the information.

Mr. PRESIDENT: It is for the Hon'ble Member to say whether he wants fresh notice or not.

The Hon'ble Mr. A. N. MOBERLY: I submit the question does not arise out of my answer.

Babu AKHIL CHANDRA DATTA: Is it for the Hon'ble Member to decide whether the question arises or not?

Mr. PRESIDENT: I think the Hon'ble Member is perfectly justified in drawing my attention to any question which in his opinion is not in order; but, it is for me to decide whether it is so, or not.

Mr. S. C. BOSE: Does that remark apply to this side of the House?

Mr. A. K. FAZL-UL HUQ: I asked whether such a scheme was ever under consideration. The Hon'ble Member said that this did not arise out of the answer given. That is for you to decide, but before you decided, the Hon'ble Member in answer to my question said that it did not arise. It is not for him to say that, but for him to communicate it to you.

The Hon'ble Mr. A. N. MOBERLY: On a point of personal explanation. I said: "I submit that the question does not arise."

Mr. A. K. FAZL-UL HUQ: It is for you to decide that point, Sir.

Mr. PRESIDENT: I will let you know my decision later on after hearing Mr. Huq more fully. In the meantime we will pass on to the next question.

Deputy Director of Sericulture.

***49. Mr. S. C. BOSE:** (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture and Industries be pleased to state—

(*i*) in whose hands the management of the Bengal Sericultural Department is at present; and

(*ii*) the name of the officer who was considered unfit for the post of Deputy Director of Agriculture at the 40th Regular Meeting of the Bengal Silk Committee held on the 19th September, 1919?

(*b*) Will the Hon'ble Minister be pleased to state who was responsible for the confirmation of the said officer in the post of Deputy Director of Sericulture, Bengal?

(*c*) Will the Hon'ble Minister be pleased to state whether the permanent Director of Agriculture, Bengal, recommended the confirmation of the said officer in the said post of the Deputy Director of Sericulture, Bengal?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Sir Provash Chunder Mitter): (*a*) (*i*) The Deputy Director of Sericulture is in direct charge of the Sericultural Department, but he is under the general control and supervision of the Director of Agriculture.

(*ii*) When Mr. P. C. Chaudhury, the present Deputy Director of Sericulture, applied for the post in 1919 he was interviewed by the Bengal Silk Committee. One member gave his opinion that his training was not of the type necessary for the appointment. The Committee resolved that the appointment should, in the first instance, be held by a European, but no European was subsequently found available.

(*b*) The Government of Bengal.

(*c*) The Director of Agriculture, Bengal, was undecided in his opinion.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if Mr. P. C. Chaudhuri ever had any sericultural training?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am prepared to make inquiries; I am unable to answer the question to-day.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if the opinion of the one member that the training of Mr. P. C. Chaudhuri was not of the type necessary for the appointment was endorsed by the Bengal Silk Committee?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am unable to answer that to-day, but I shall make inquiries and look into the report again.

Mr. S. C. BOSE: Does the Hon'ble Minister ask for fresh notice?

The Hon'ble Sir PROVASH CHUNDER MITTER: I want to look into the report again before I answer that question, and for that I want notice.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state whether the Director of Agriculture, Bengal, at any time recommended the confirmation of Mr. Chaudhuri?

The Hon'ble Sir PROVASH CHUNDER MITTER: I understand that he did recommend once or twice, but he also wanted further information about him. That is why the Director was undecided.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state whether that recommendation followed his indecision?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am unable to answer the question without looking into the file again.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if that recommendation was before or after his indecision?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am unable to answer that question to-day.

3-30 P.M.

Mr. PRESIDENT: With regard to starred question No. 48 I hold that as it is in the information of a member of this House that a certain scheme was formulated and thrown out I think it is up to him to ask as to whether such a scheme was formulated or not, and I think it is proper for the Hon'ble Member in charge either to answer the question or take time to inquire into the matter and then answer it.

The Hon'ble Mr. A. N. MOBERLY: I do not know.

Dr. BIDHAN CHANDRA ROY: Will the Hon'ble Member make inquiries?

The Hon'ble Mr. A. N. MOBERLY: It looks like a request for action.

Mr. D. N. ROY: Is the Hon'ble Member considering the desirability of inquiring into the matter?

Mr. A. K. FAZL-UL HUQ: Is the final answer that the Hon'ble Member will take time and let us know?

(No answer.)

Water-hyacinth.

***50. Maulvi TAMIZUDDIN KHAN:** Will the Hon'ble Minister in charge of the Department of Agriculture and Industries be pleased to state what steps, if any, the Government intend to take to combat the water-hyacinth menace? If so, when?

The Hon'ble Sir PROVASH CHUNDER MITTER: *The member is referred to the answer given to his starred question No. 49 at the meeting of the Council held on the 17th March, 1927. The position is unchanged.*

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Minister be pleased to state why the position is unchanged and why no steps were taken since March, 1927?

The Hon'ble Sir PROVASH CHUNDER MITTER: Because no decision could be arrived at in the meantime. Perhaps hon'ble members are aware that a conference was held by my predecessor in office at Dacca on the subject. As a result of further inquiry it appeared that the total cost would be about 5 to 6 crores and Government are carefully considering how to eradicate this pest. If the hon'ble member desires to know the present position, I can read extracts from the file, but it will take a long time. I can assure the House, however, that we are keenly alive to the position but we have not yet been able to come to a decision as to what is the best course.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Minister be pleased to state when Government's decision is expected?

The Hon'ble Sir PROVASH CHUNDER MITTER: As early as possible and no moment is being lost.

Rai JADUNATH MAZUMDAR Bahadur: May I know for how many years this hyacinth question is under the consideration of Government and how many years more it will take them to come to a decision?

The Hon'ble Sir PROVASH CHUNDER MITTER: So far as the present individual Member of Government is concerned the question has not been before him for many weeks and he will try his best to come to a decision in the matter as early as possible.

Chandana and Upper Coomar rivers.

***51. Maulvi TAMIZUDDIN KHAN:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether the Government is aware that the rivers "The Chandana" and "The Upper Coomar" in the district of Faridpur are in a deplorable condition and are the sources of pestilential diseases and decay of agriculture over a considerable area of the district?

(*b*) If so, what steps, if any, do the Government intend to take to improve the condition of these rivers?

MEMBER in charge of the DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*a*) Government are aware of the deterioration of these rivers.

(*b*) Money has been allotted for fixing gauges and making observations. At present sufficient information is not available for drawing up a scheme of improvement.

Babu SURENDRA NATH BISWAS: Has any money been allotted for fixing gauges and making observations in the Upper Coomar?

(The Hon'ble Member's answer was not audible.)

Mr. PRESIDENT: I think the Hon'ble Member asks for fresh notice.

Rai HARENDRANATH CHAUDHURI: The Hon'ble Member has answered the question, but it was not audible to us.

Babu SURENDRA NATH BISWAS: My first question was whether the Government were aware that the rivers "The Chandana" and "The Upper Coomar" in the district of Faridpur... . .. .

Mr. PRESIDENT: That is in the paper before us. Why should you read it out?

Babu SURENDRA NATH BISWAS: I was reading it to make my meaning clear. The answer to my question is "that money has been allotted for fixing gauges, etc.," and only to particularise the answer I asked the Hon'ble Member whether money had been allotted for the Upper Coomar. In his first answer he included the Upper Coomar but in reply to my supplementary question he says that he wants fresh notice. That is what I cannot understand.

Mr. PRESIDENT: I cannot help it if the Hon'ble Member asks for fresh notice. Next question, please.

Mr. SUBHAS CHANDRA BOSE: He was on his legs when you said "next question." It is awfully unfair.

Mr. PRESIDENT: Order, Order.

Babu SURENDRA NATH BISWAS: I was catching your eye.

Mr. PRESIDENT: It appears that you all are over anxious to see for me. (Laughter.)

Mr. SUBHAS CHANDRA BOSE: We on this side of the House would like to know what we ought to do in order to catch your eye. We find from experience that it is impossible for us to catch your eye.

We would like you to tell us frankly what we ought to do to catch your eye and unless you do that it is impossible for us to find an opportunity of asking questions.

Mr. PRESIDENT: I can only say that I will try to get more powerful glasses in future. (Laughter.)

Silting up of the river Baral in the districts of Rajshahi and Pabna.

***52. Srijut JOGENDRA NATH MOITRA:** (*a*) With reference to the reply given on the 25th August last to unstarred question No. 97, will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether any joint inquiry by the Directors of Agriculture and Industries have been made in connection with the silting up of the river Baral in the districts of Pabna and Rajshahi?

(*b*) If so, will the Hon'ble Member be pleased to lay on the table a copy of their joint report?

(*c*) Is the Hon'ble Member aware that many a village and trading centre once flourishing have been seriously affected both in respect of healthy and material progress by the silting up of the river Baral and the agricultural condition of a vast area has also been impaired to a great extent for the same reason?

(*d*) What remedy do the Government intend to apply in the matter?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) Yes.

(*b*) A copy of the report is placed on the table.

(*c*) and (*d*) The matter is under inquiry and consideration.

The report referred to in the reply to clause (b) of starred question No. 52.

Dr. Bentley has drawn up a note (below) on our joint inspection of the area from Puthia to Sarda.

I agree entirely with all of Dr. Bentley's remarks, but as I have already remarked in this office demi-official letter No. 17697, dated the 23rd September, 1927, I would add that as far as I can see any increased demand for water which the proposed scheme contemplates would never be such as could possibly seriously approach a volume which might influence the present main course of the Ganges.

In my opinion the proposal involves too small changes to seriously affect any calculations which the Railway Department may have made regarding the Ganges Bridge. In any case the proposals are certainly of too small magnitude not to admit of ample time being given to take any necessary precautions, in the shape of a weir, if danger threatens.

On the other hand, there is no doubt as to the benefits which will accrue from the proposed scheme. Not only will there be better flooding and better drainage, resulting in a diminution of malaria, which is surely an excrescence in such a pleasant fertile country; moreover the annual flooding and consequent silt deposit, will not only tend to render a full paddy crop for each year a certainty; but will materially enrich those lands which, in the present year, are in dire need of water.

I would add that, apart from all other considerations, the fact that local cultivators were not sitting down and calling on various omnipotence for help; but that they were using the *Ladauli* to help themselves, entitles them to special consideration, if only as an example to others.

R. S. FINLOW.

The 2nd November, 1927.

Mr. Finlow and I met at Natore on the morning of the 11th September and went together over the grounds from Puthia to Sarda. We passed through the fields and villages and discussed with the local people as to their actual requirements in respect to water for irrigation, etc.

The previous malaria survey of the area showed that malaria was hypodermic, 155 villages showing spleen indices varying from 72 per cent. to 100 per cent.

This year there was an abnormal shortage in raintall, moreover the river Ganges did not rise sufficiently high to permit much water to pass into the interior through the existing shallow channels. In consequence shortage of surface water was noticed almost everywhere. As a result the paddy was obviously suffering and though there was a luxuriant growth of jute the cultivators were afraid that owing to lack of water jute steeping might be difficult. Near the Baral river there were many signs of the efforts made by the villagers to deepen the existing shallow channels for the purpose of bringing river water to the interior for cultivation and for filling tanks and for jute steeping. But the river had fallen too rapidly to allow of much success.

Everywhere we went the people stated they needed river water not only this year but every year because they know the value of the silt. In one place particularly we noticed about 150 villagers from about 10 villages excavating a channel leading from the Baral river. In the

course of a mile along that road nearly half a dozen similar artificial channels were noticed showing that there was very great demand of water within the area.

There are several khals and rivers within the area all of which are now in a state of decay, particularly the Hoja and Narad. But the Mushakhan which draws water from the Baral is still active and introduces water inland during the monsoon.

The channel which has been proposed to be deepened is still latent for a considerable distance. It is known as the Nandangachi khal. We inspected it at several points. We went up the Baral to the place where the Nandangachi khal takes off, noticing on our journey many recently re-excavated channels, on both banks of the river. At its off-take the Nandangachi khal is not more then 20 feet wide. But there is evidence that at one time it must have been two or three times as large.

The results of our inspection have led us to form the opinion that the improvement of the Nandangachi khal and other channels will not be likely to have any material effect upon the régime of the Baral river.

On the other hand it will result in great improvement in the agricultural condition of the area and also improve the local health conditions by causing a reduction in malaria and affording a better supply of drinking water.

In the circumstances stated, the proposal for the improvement of irrigation of the area should in our opinion be taken up.

CHAS. A. BENTLEY,

Director of Public Health, Bengal.

The 16th October, 1927.

The Chandana river in Faridpur.

***53. Dr. KUMUD SANKAR RAY:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether he is aware of the great inconvenience caused to the public due to the silting up of the river Chandana in the Faridpur district?

(*b*) Have the Government made any inquiry to find out the cause of the silting?

(*c*) If so, will the Hon'ble Member be pleased to state what are the causes?

(*d*) Have any remedies been suggested as a result of the inquiry?

(*e*) Is there any likelihood of any action being taken by the Government in this matter in the near future?

(*f*) What action, if any, has already been taken in the matter?

(*g*) Will the Hon'ble Member be pleased to state whether any petition was received last year suggesting dredging the mouth of the Chandana?

(*h*) If so, are the Government contemplating taking any action on the same?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) Yes.

(*b*) and (*f*) Yes. The local officers have been asked to make a survey and observation of the river. The report is awaited.

(*c*), (*d*) and (*e*) No statement can be made till the report is received.

(*g*) Yes.

(*h*) Government are awaiting the report of the local officers.

Dr. KUMUD SANKAR RAY: With reference to answer to (*b*) and (*f*), when was this survey ordered?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: In June 1927.

Buxi khal.

*54. **Babu MANMATHA NATH ROY:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether the attention of the Government has been drawn to the apprehension of considerable and serious losses to the villagers of Buxi and Mankar and other persons in case the Buxi embankment is cut near Hoepgauge by the Irrigation Department for the outlet of the flood water of the Damodar?

(*b*) Is it a fact that during the year 1925-26 the Buxi khal was dredged by the Irrigation Department rendering it deeper and wider enough to discharge the flood-water without hindrance?

(*c*) Are the Government considering the question of increasing the sectional area of the Buxi khal for the speedy discharge of rain-water?

(*d*) What orders, if any, have the Government passed on the memorial of the villagers of Buxi and Mankar to the Chief Engineer, Bengal, dated the 9th March, 1927?

(*e*) If the answer to clause (*d*) is in the negative, what action do the Government propose to take in the matter?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) Yes.

(*b*) *The answer to the first part of the question is in the affirmative. The effect of widening the khal cannot be estimated until a large flood* passes down the Damodar.

(*c*) Not at present; it will depend on the conditions pervailing during the next high flood in the Damodar.

(*d*) and (*e*) The memorials were forwarded to the local officers for consideration, and their report is being awaited.

Babu MANMATHA NATH ROY: Will the Hon'ble Member be pleased to state whether a period of 9 months is not sufficient for a consideration of this matter?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: For which matter?

Babu MANMATHA NATH ROY: The matter referred to in paragraphs (*c*) and (*e*).

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: There are so many reports and inquiries that it is very difficult to say how long it will take.

Maulvi ABUL KASEM: Will the Hon'ble Member be pleased to state if it is not a fact that an inquiry was made in the year 1913 and that the scheme for the widening of the canal has been under the consideration of Government for these 14 years?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: It is true that it has been under the consideration of Government for a long time.

Maulvi ABUL KASEM: Is it not a fact that money is realised for the prevention of floods in Damodar as land revenue from the Maharaja of Burdwan for this purpose? Not the ordinary land revenue but land revenue for the prevention of floods in Damodar.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The money collected is quite insufficient for the purpose.

Maulvi ABUL KASEM: I may say from personal experience that a large flood passed over Damodar in 1913. When is the next flood expected?

Mr. PRESIDENT: That is not a question.

Hoorhoora khal.

***55. Babu NALINIRANJAN SARKER:** Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state—

(*i*) the estimated length of dredging of the Hoorhoora khal;

(*ii*) the estimated quantity of earth to be excavated;

(*iii*) the estimated cost of dredging per 1,000 cubic feet;

(*iv*) the total value of work;

(*v*) the actual length of dredging done;

(*vi*) the actual quantity of earth excavated;

(*vii*) the actual cost of dredging per 1,000 cubic feet; and

(*viii*) the total expenditure incurred?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*i*) 21,000 feet.

(*ii*) 4,99,07,617 cubic feet

(*iii*) Rs. 8.

(*iv*) Total value of the work including the portion excavated by hand, land acquisition and departmental charges was estimated at Rs. 12,34,906, of which Rs. 3,99,260 was for actual dredging.

(*v*) 16,000 feet.

(*vi*) 15,065,000 cubic feet.

(*vii*) Rs. 7·57 per 1,000 cubic feet excluding hire, Rs. 19·4 per 1,000 cubic feet with hire.

(*viii*) Rs. 10,48,826 on the whole project, of which Rs. 2,92,536 was for dredging inclusive of hire of the dredgers.

Babu JITENDRALAL BANNERJEE: Considering the remarkable hiatus between the estimated cost and the actual cost, will the Hon'ble Member tell us who was responsible for the original estimate?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The Engineers of the Irrigation Department.

Babu JITENDRALAL BANNERJEE: Has the Hon'ble Member directed that an inquiry be made into the matter—how it arose and how the estimate was exceeded in such a manner?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: An inquiry will be made.

Excavation of the Bhairab river between Alaipur and Fakirhat in Khulna.

***56. Srijut NAGENDRA NATH SEN:** Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state what progress, if any, has been made in the matter of the excavation of the Bhairab river between Alaipur and Fakirhat in the Khulna district?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: A scheme for the improvement of the Alaipur khal which is a section of the Old Bhairab river at a cost of Rs. 3,10,000 has been administratively approved by Government. Out of this amount, the department proposed to provide Rs. 50,000 in the budget of 1928-29, but the budget has not yet been passed by the Government as a whole.

3-45 P.M.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Member be pleased to state when the scheme was administratively approved?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: About a year ago.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Member be pleased to state why no provision for the scheme was made in the budget for 1927-28?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The scheme was received too late.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state whether the scheme was prepared after consulting the local officers and persons locally interested and specially the District Board of Khulna?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I cannot say anything without looking into the file.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to publish this scheme?

Mr. PRESIDENT: It is a request for action.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Member be pleased to state whether Government is considering the desirability of publishing the scheme?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: It is not usual to publish such schemes, but any member can come to the office and inquire about them.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Member be pleased to state whether Government is going to consult the local bodies over the scheme?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The local people are consulted before a scheme is administratively approved.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Member be pleased to state why the local people were not given an opportunity of expressing any opinion on the scheme?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Without looking into the file I cannot say whether a particular District Board was consulted or not.

Mr. SUBHAS CHANDRA BOSE: Will the Hon'ble Member be pleased to state which of the local officers were consulted?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Without looking into the file I cannot say which of the local officers were consulted

Maulvi SHAMSUR-RAHMAN: Will the Hon'ble Member be pleased to state whether it is in the contemplation of Government to consult local bodies now?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Presumably it has been done.

Standing Advisory Committee for waterways.

***57. Srijut NACENDRA NATH SEN:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether any steps have been taken for the formation of Provincial District and Subdivisional Water Boards to take charge of the rivers, khals and other waterways of the province just as District Boards are in charge of roads and ways as was suggested in the Presidency Divisional conference at the Calcutta Town Hall on March 18, 1927?

(*b*) Are the Government considering the desirability of constituting a committee to consider the question?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) The Divisional conference recommended one Board for the whole province or at most one for each division. There has been a Standing Advisory Committee for Waterways since 1906 and in 1920 it was enlarged so as to include representatives for Bihar and Orissa and for Assam. In 1920 also a permanent Board was established to examine all important projects concerning drainage, irrigation, sanitation or transport, which are likely to restrict the free flow of flood water in the Presidency of Bengal, and to report to Government before such projects are sanctioned. A local committee was constituted to advise on questions relating to the Lower Kumar in August, 1927. Its headquarters are at Charmaguria.

(*b*) Government are not considering the desirability of appointing any more committees. They are considering how more use can be made of the existing committees and whether any changes are required in their constitution. Ordinarily they do not consider that committee for districts or subdivisions could serve any useful purpose. Navigation and drainage channels which are only of importance to the one district should be watched by the District Boards.

Babu SURENDRA NATH BISWAS: Will the Hon'ble Member be pleased to state who are the members of the local committee referred to in his answer (*a*)?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I should like to see the file before answering the question.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble Member be pleased to state who are the members of the permanent board constituted in 1920?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I cannot answer it without looking into the file.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state whether the policy stated in the latter part of the answer, *viz.*, navigation and drainage channels which are only of importance to the one district should be watched by the district boards, has been communicated to the district boards?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: It is the duty of the district boards to do so.

Khan Bahadur Maulvi AZIZUL HAQUE: Has not the policy of Government in regard to irrigation channels all along been that they are a provincial concern?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Yes.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state whether a resolution was issued declaring the policy of Government with regard to navigation and drainage channels in Bengal?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Yes. There was such a resolution.

Arbitration Boards for settlement of disputes between the Managing Committee and the staff of High Schools.

*58. **Mr. S. C. BOSE:** (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state whether it is the intention of the Government to set apart any amount for the inauguration and upkeep of Arbitration Boards for settlement of disputes between the Managing Committee and the staff of High Schools on the lines laid down by the Syndicate of the Calcutta University?

(*b*) If so, what is the amount?

(*c*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether provision will be made for the above by means of a supplementary demand for grant or in the budget of the next financial year?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Nawab Musharruf Hosain, Khan Bahadur): (*a*), (*b*) and (*c*) Government intended to assist in the working of the scheme by lending the services of their officers and clerical establishment. If a grant is necessary, they will be prepared to consider this when the points still under discussion between Government and the University are settled.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state the points that are still under discussion between the Government and the University of Calcutta?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I have to look into the file.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if he has any idea of the points?

Mr. PRESIDENT: Mr. Bose, your question is ironical and I cannot allow you to put it.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if he has any general idea of the points which are still under discussion between the Government and the Calcutta University.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: This question does not arise.

Mr. J. M. SEN GUPTA: Is the Hon'ble Minister in order in saying that the question does not arise?

Mr. PRESIDENT: I think the Hon'ble Minister merely expressed his opinion.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if he has any idea whatsoever of the points which are under discussion between the Government of Bengal in its Education Department and the University of Calcutta?

Mr. PRESIDENT: I am afraid the question is not at all definite. It is very difficult to answer a question like this. What do you mean by "any idea"?

Mr. S. C. BOSE: May I repeat my question? Will the Hon'ble Minister be pleased to state if he has any idea whatsoever of the points which are under discussion between the Government of Bengal in its Education Department and the University of Calcutta?

Mr. PRESIDENT: My ruling is that your question does not refer to any matter which is definitely stated. So it is impossible for the Hon'ble Minister to answer it. What do you mean by "any idea"?

Mr. S. C. BOSE: I simply ask if he has any idea.

Mr. PRESIDENT: It is for the Hon'ble Minister to say whether he has any idea or not; but I really do not understand what you mean.

Maulvi ABDUL KARIM: I beg to suggest that the question is ironical.

Mr. PRESIDENT: I think you are right; but, it is on the border line.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to answer my question?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: All the correspondence passed before I came into office.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state one of the points which are under discussion?

Mr. PRESIDENT: Mr. Bose, you cannot ask this question, for the simple reason that it does not appear to be a *bona fide* request for information. It is more or less a criticism that you are trying to level against the knowledge of the Hon'ble Minister with regard to the department he is administering.

Mr. J. M. SEN GUPTA: May I rise on a point of order? As to whether the question is *bona fide* or not, it is for the members to decide. I do submit that the questions that have been put this afternoon are all *bona fide* questions (Cries of "No, No.") May I not be allowed to finish my sentence? I claim to finish my sentence notwithstanding any amount of howling from the other side.

Mr. PRESIDENT: What is your point Mr. Sen Gupta?

Mr. J. M. SEN GUPTA: My point is this: Are we not entitled to bring out from the Hon'ble Minister of Education information which we can use for the purpose of showing that the Hon'ble Minister is not fit to be Minister for Education? Is it a *mala fide* procedure to get out information for the purpose of showing that the Minister is absolutely unfit for his office?

Mr. PRESIDENT: If I were to allow such questions, then every one of them will be a motion of "no-confidence." (Laughter.)

Mr. S. C. BOSE: May I draw your attention to rule 34, page 285, of the Legislative Council Manual, which says that any member may put a supplementary question for the purpose of elucidating any matter of fact regarding which an answer has been given.

My supplementary question was put for the purpose of elucidating the points which, the Hon'ble Minister said, in answer to my question, were under discussion between the Government and the University.

4 P.M.

Mr. PRESIDENT: The Hon'ble Minister has already said that he does not remember those points and wants to consult his files and for that he wants fresh notice.

Mr. SUBHAS CHANDRA BOSE: Will you please ask the Hon'ble Members and Ministers to bring their files with them? Whenever a question is asked, they state that they want to consult their files.

Mr. PRESIDENT: That would be a very impertinent request.

Mr. D. N. ROY: Will the Hon'ble Minister be pleased to state whether he has read the files regarding this matter?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: That point does not arise.

(Loud laughter.)

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state how long this discussion has been going on between the Government of Bengal and the Calcutta University regarding the matter of arbitration boards for settlement of disputes?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I want notice of that question.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state if the discussion that has been going on has been verbal or in writing?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: No reply is necessary.

Mr. S. C. BOSE: I think I am entitled to an answer, Sir.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: It is in writing.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state whether he himself, since his assumption of office, has taken part in this discussion?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: No.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to lay on the table the correspondence that has passed on this point between his Department and the Calcutta University?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I cannot follow your question.

[A voice: May I call attention to the fact that the first hour for answering questions has passed.]

Mr. S. C. BOSE: I will put it in simpler language. Will the Hon'ble Minister for Education be pleased to lay on the table the correspondence that has passed on this point between the Department of Education and the University of Calcutta?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: No.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to educate this House as to the meaning of his answer "No"?

Mr. PRESIDENT: I do not allow that question.

Mr. SUBHAS CHANDRA BOSE: On a point or order, Sir, would you like us to put questions in Bengali to the Hon'ble Minister in charge of Education, since we find that he cannot understand the questions put to him in English?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Is not this an ironical question?

Mr. SUBHAS CHANDRA BOSE: That is for the President to say, not the Minister.

Mr. F. E. JAMES: I should like to know, when the hour for asking questions has already passed, how long it is proposed to continue this?

Mr. PRESIDENT: The rule provides that the first hour will be available for questions, but that does not imply that more than an hour cannot be devoted to questions; if the President allows it the rule does not prevent the President from using his discretion in the matter. (Cheers.)

Working of the Board for Secondary and Intermediate Education in Dacca.

*59. **Maulvi ABDUL KARIM:** (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state whether it is a fact that the Enquiry Committee appointed by the Government to investigate into the working of the Board for Secondary and Intermediate Education in Dacca came to the unanimous conclusion that the Board had not proved a success and that it had lowered the standard of teaching and examinations?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, are proposed to be taken in the matter?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (*a*) Yes.

(*b*) Government are awaiting the opinions of the Universities of Calcutta and Dacca on the report. On receipt of these opinions a policy will be formulated.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state when opinions were asked for by Government from the Universities of Calcutta and Dacca?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: About 4 or 5 months ago.

Maulvi ABDUL KARIM: Will the Hon'ble Minister be pleased to state when these opinions are likely to be received by Government?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: It is for the Universities to say when they will send the report.

Maulvi ABDUL KARIM: Has any step been taken to expedite the matter?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Correspondence is going on.

Maulvi ABDUL KARIM: It has been decided by a very competent authority that the present Board is perfectly inefficient. Does not the Government think that it is sheer waste of money to continue the department any longer?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: That is a matter of opinion. I take exception to that question.

Mr. PRESIDENT: I think the Hon'ble Minister is right. It is a matter of opinion.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state the names of the members of the Inquiry Committee?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Messrs. Barrow and West.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state when the report of the Inquiry Committee was received?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I have answered the question already; early this year.

Mr. S. C. BOSE: Will the Hon'ble Minister be pleased to state when Government asked the Universities of Calcutta and Dacca for the first time to submit their report?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Without looking into the file I cannot say.

Maulvi ABDUL KARIM: Am I to understand that early steps will be taken by Government to decide this matter so that this inefficient Board might be discontinued?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: That policy has not yet been settled and that cannot be done without the report of the University.

Maulvi ABDUL KARIM: Have the Government taken steps to have the report as early as possible?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Steps are being taken now.

Srijut NAGENDRA NATH SEN: Can Government publish the report of Messrs. West and Barrow?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: It can be published.

Manager, Court of Wards Estates, Comilla.

***60. Babu JOGINDRA CHANDRA CHAKRAVARTI:** (*a*) Will the Hon'ble Member in charge of the Department of Revenue be pleased to state—

(*i*) who is the present General Manager of the Court of Wards Estates, Comilla;

(*ii*) the educational qualifications of that officer;

(*iii*) the salary he is drawing; and

(*iv*) what post the officer was holding before his present appointment?

(*b*) Is it a fact that he was transferred to the present post from some post he was holding under the Bihar and Orissa Government?

(*c*) Was the transfer made in accordance with Rule 111 of the Fundamental Rules?

(*d*) Were there any special circumstances in favour of the officer's appointment to the present post?

(*e*) Is it a fact that complaints have been made to the Board of Revenue by the Wards against the General Manager?

(*f*) If the answer to (*e*) is in the affirmative, will the Hon'ble Member be pleased to state what action, if any, has been taken by the Board on the complaints made by the Wards?

MEMBER in charge of DEPARTMENT of REVENUE (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur, of Nadia): (*a*) (*i*) Babu Prafulla Kumar Ghosh.

(*ii*) He has no University degree.

(*iii*) Rs. 350.

(*iv*) Personal Assistant to the Chief Manager of the Dacca Nawab's Estate.

(*b*) No, but before his first appointment under the Court of Wards, he was employed under the Bihar and Orissa Government.

(*c*) Yes.

(*d*) When the post of the General Manager of the Court of Wards Estates, Tippera, fell vacant, among the applicants for the post Babu Prafulla Kumar Ghosh was considered by the Board of Revenue to have the best claim.

(*e*) One complaint was received.

(*f*) The complaint was inquired into by the Collector who reported it to be unfounded.

Maulvi ABUL KASEM: With reference to answer (*b*), will the Hon'ble Member be pleased to state what appointment this gentleman held under the Bihar and Orissa Government?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: He was a Stenographer under the Government of Bihar and Orissa

Maulvi ABUL KASEM: With reference to answer (*d*), I want to know if the word "claim" means qualification. He was stated to have the best claim. Are we to understand that he was the best of the candidates, and is his qualification or claim for the particular appointment of Stenographer considered sufficient for any other appointment?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: Claims and qualifications were taken into consideration in disposing of this appointment.

Babu JOGINDRA CHANDRA CHAKRAVARTI: With reference to answer (*d*), is the Hon'ble Member aware of the pay he was drawing under the Bihar and Orissa Government?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: I am afraid I cannot say now.

Babu JOGINDRA CHANDRA CHAKRAVARTI: Will the Hon'ble Member be pleased to find it out?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: If the member wants the information, I shall be pleased to do so.

Maulvi KADER BAKSH: Will the Hon'ble Member be pleased to state whether this gentleman had any special claim for the post?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: I have already said that his claim was considered in disposing of this appointment

Maulvi KADER BAKSH: Had he any particular claim?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: The appointing authority could say what claims were considered when the appointment was disposed of.

[At 4-20 P.M. the Council was adjourned and it reassembled at 4-30 P.M.].

Point of order.

Mr. J. M. SEN GUPTA: I think, Sir, you said before adjournment that you would pass over the questions now. I am not willing on behalf of my party to forego the right of the House to have questions answered for one hour at every meeting and although only a few minutes more remain to make up the hour we started at 20 minutes past 3 and the House was adjourned at 10 or 15 minutes after 4 I would request you to give the full hour to questions.

Mr. PRESIDENT: Do you give me an assurance to the effect that it will not be carried on beyond 5 minutes? I think I have already intimated that I shall take up the Bills.

Mr. J. M. SEN GUPTA: The point is, Sir, if we once agree to such a procedure, it will become a precedent that questions at one meeting of the Council may be stopped before the first hour is over. I would ask you kindly to devote five minutes more to the answering of questions.

Mr. PRESIDENT: I must point out that this is not the correct interpretation of the rule. The first hour shall no doubt be available for questions, but it is within the discretion of the President to stop before or go beyond the first hour.

Rai HARENDRA NATH CHAUDHURI: The President can use his discretion after the expiry of the first hour, but so far as the first hour is concerned, the rule is mandatory. The rule runs thus: "The first hour shall be available for the answering of questions."

Mr. PRESIDENT: Of course, it shall be available but the rule does not provide that an hour shall be availed; but in the present case

I shall allow five minutes more for questions. I must, however, tell the House that after five minutes questions will stop.

Starred Questions

(to which oral answer was given).

Détenu Srijut Bepin Behari Canguli.

***61. Mr. SUBHAS CHANDRA BOSE:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that Srijut Bepin Behari Ganguli, détenu, has been suffering from dyspepsia, insomnia and pyorrhea?

(*b*) Is it a fact that the Superintendent, Bassein Jail, has remarked that pyorrhea is the cause of all his troubles?

(*c*) Is it a fact that at Bassein where he is now confined there is no possibility of a proper dental treatment?

(*d*) Is it a fact that the climate of Bassein is damp and enervating?

(*e*) Is it a fact that as a result of his transfer to Bassein from Mandalay his health has been further impaired?

(*f*) Is it a fact that he is alone at Bassein Jail?

(*g*) Is it a fact that the conveniences which existed at Mandalay do not exist at Bassein?

HON'BLE MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) Yes.

(*b*) Not in so many words. But the Superintendent stated that he has extensive pyorrhea.

(*c*) Yes, but it is understood that steps are being taken by the Government of Burma for dental treatment at Rangoon, and he will be further treated in Bengal.

(*d*) According to the *Gazetteer*, the climate is relaxing, but tempered by sea-breezes.

(*e*) His health has been less satisfactory at Bassein than at Mandalay.

(*f*) No.

(*g*) Government have no information on this point.

Mr. S. C. BOSE: With reference to answer to (*g*), is the Government as bankrupt in the matter of information as it was already yesterday?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: I might point out that this question offends against rule 57.

Mr. PRESIDENT: I think you should not use that word, Mr. Bose.

Mr. S. C. BOSE: Is the Government absolutely bankrupt in the matter of information regarding the conveniences which existed at Mandalay and which do not exist at Bassein?

The Hon'ble Mr. A. N. MOBERLY: I do not quite understand the expression "bankrupt."

Mr. SUBHAS CHANDRA BOSE: Will the Hon'ble Member be pleased to state if the Government of Bengal have made any inquiries of the Government of Burma regarding question (*g*) after the question was sent in?

The Hon'ble Mr. A. N. MOBERLY: No, Sir.

Mr. SUBHAS CHANDRA BOSE: May I inquire why information was not asked for from the Burma Government?

The Hon'ble Mr. A. N. MOBERLY: Because it is a matter for the Burma Government and not for the Bengal Government.

Mr. SUBHAS CHANDRA BOSE: Am I to understand that it is not a matter for the Bengal Government to ask for information from the Burma Government?

The Hon'ble Mr. A. N. MOBERLY: That is a matter of opinion.

Mr. J. M. SEN GUPTA: Is it the Hon'ble Member's case that when information is asked for by members of the Bengal Legislative Council about inhabitants of Bengal with regard to their detention in places outside Bengal, it is not a matter for the Government of Bengal to inquire of the authorities outside Bengal where the person is kept?

Mr. PRESIDENT: I should like you to put it in a more concise form.

Mr. J. M. SEN GUPTA: Is it the Hon'ble Member's case that when members of the Legislative Council ask questions about the détenus of Bengal detained outside Bengal, it is not a matter for the Bengal Government to inquire of the outside authorities concerned regarding matters arising out of those questions?

The Hon'ble Mr. A. N. MOBERLY: I do not know what case is pending.

Mr. SUBHAS CHANDRA BOSE: Are we to understand that the Government of Bengal have no right to ask the Government of Burma for information in this matter?

The Hon'ble Mr. A. N. MOBERLY: I do not see any reason why we should ask for information on a matter which is the concern of another Government.

Mr. SUBHAS CHANDRA BOSE: Are we to understand that this matter—I mean question (*g*)—is one on which the Government of Bengal cannot ask for information from the Government of Burma?

The Hon'ble Mr. A. N. MOBERLY: It is a matter for disposal by the Government of Burma.

Rai HARENDRANATH CHAUDHURI: When a question is asked at the Bengal Legislative Council, does it not become the duty of the Government of Bengal to make inquiries regarding matters arising out of it?

Mr. PRESIDENT: I think this question does not arise at all; it is not relevant to the main question.

Rai HARENDRANATH CHAUDHURI: I submit it is relevant in reference to answer (*g*).

Mr. PRESIDENT: Section 36 prohibits discussion on any question or on any answer given to a question.

Mr. S. C. BOSE: Will the Hon'ble Member be pleased to state whether when a détenu is sent outside Bengal inquiries are not made regarding the conveniences at that outside place?

The Hon'ble Mr. A. N. MOBERLY: No.

Maulvi ABUL KASEM: Before you take up the ordinary business, I would like to point out that we the members of the Legislative Council, are to send our questions some days in advance, the idea being to enable Government officers to supply the information, but we find from the answers given to those questions as well as to supplementary questions that Government Members do not come prepared with full records. I want a ruling that in future they should come ready with full records as we give sufficient time—15 days—for the preparation of answers.

Mr. S. C. BOSE: I add the words "and not to play with the House."

Mr. SUBHAS CHANDRA BOSE: Sir, there is considerable dissatisfaction on this side of the House regarding the manner in which questions are passed over. I would request you as the custodian of the rights and privileges of the members of this House to ask the

ecretary either to take instructions from you or to look round to see f any member is on his legs before he passes over to the next question.

Mr. PRESIDENT: I do not know if that would be a very conenient arrangement or if such a step has at all become necessary.

Questions not called to which answers were laid on the table.

Détenu Srijut Bepin Behari Canguli.

***62. Mr. SUBHAS CHANDRA BOSE:** (*a*) Will the Hon'ble lember in charge of the Political Department be pleased to state if is a fact that on the 15th November, 1927, the widowed sister-in-law f détenu Srijut Bepin Behari Ganguli sent a representation to the Ion'ble Member in charge of the Political Department drawing his ttention to Bepin Babu's grievances?

(*b*) If so, will the Hon'ble Member be pleased to state what steps, f any, it is intended to take?

The Hon'ble Mr. A. N. MOBERLY: (*a*) Yes.

(*b*) The state prisoner will be brought back temporarily to Bengal n order that he may be better able to look after his affairs.

Auditing of accounts in the Appellate Side of the High Court.

***63. Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble lember in charge of the Judicial Department be pleased to state whether there is any periodical auditing of accounts in the Appellate ide of the High Court generally?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble lember be pleased to lay on the table a statement showing the partiular years during the last decennial period when such auditing took lace?

(*c*) If the answer to (*a*) is in the negative, will the Hon'ble lember be pleased to state whether the High Court has taken any pecial steps in order to ensure the regularity and accuracy of its ccounts?

The Hon'ble Mr. A. N. MOBERLY: (*a*) No.

(*b*) Does not arise.

(*c*) It has been arranged that the Accountant-General, Bengal, vill shortly audit the accounts of the Appellate Side.

Cases referred to the Full Bench in the Presidency Small Causes Court.

***64. Mr. E. T. McCLUSKIE:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state how many cases that had been referred to the Full Bench in the Presidency Small Causes Court were actually sent back for revision during the last three years?

(*b*) Is the Hon'ble Member considering the desirability of directing the publication of this information in the Annual Report of the Judicial Department? If not, can this not be done in the next report?

The Hon'ble Mr A. N. MOBERLY: (*a*) A statement is laid on the table.

(*b*) No. It is the Government of India who prescribe what information is to be published in the Report on the Administration of Civil Justice.

Statement referred to in the reply to clause (a) of starred question No. 64, showing the number of cases that had been referred to the Full Bench in the Presidency Small Causes Court, but were actually sent back for re-trial during the last three years.

97 cases in 1924, 74 in 1925, and 78 in 1926—Total 249.

[*N.B.*—No cases can be sent back for revision.]

Crop failure in Balurghat.

***65. Babu JOGINDRA CHANDRA CHAKRAVARTI:** (*a*) Will the Hon'ble Member in charge of the Department of Revenue be pleased to state whether it is a fact that owing to total failure of crops very acute distress has been caused to the people of the subdivision of Balurghat in the district of Dinajpur?

(*b*) What is the approximate area and the number of people affected by scarcity?

(*c*) What steps have been taken by the Government to afford relief to the affected people?

(*d*) Has any other district been affected by scarcity, and if so, which district or districts?

(*e*) What steps have been taken in such districts for relief?

(*f*) Is it in the contemplation of the Government to declare any area in Bengal as a famine area?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) There has been distress in parts of the subdivision named owing to recent failure of crops.

(*b*) The information is not available.

(*c*) See answer to a similar unstarred question put by Maulvi Kader Baksh at this meeting.

(*d*) Yes, part of Vishnupur subdivision in Bankura and of Sadar subdivision in Burdwan, Rampurhat subdivision in Birbhum, parts of Malda and Rajshahi, and small portions of Murshidabad and Nadia.

(*e*) Rs. 71,270 has already been granted for agriculture and land improvement loans in these areas and Government are prepared for further such grants as may be necessary as well as (*i*) for gratuitous relief; and (*ii*) advances to District Boards for relief works where necessary.

Already Rs. 2,000 has been granted for (*i*) and Rs. 10,000 for (*ii*).

(*f*) No.

Crop failure in Bankura.

***66. Srijut BIJAY KUMAR CHATTERJEE:** (*a*) Is the Hon'ble Member in charge of the Department of Revenue aware that owing to failure of crops in the district of Bankura there has been acute distress among the people and the middle class people are not getting their daily food, while the lower and working classes are not getting work?

(*b*) What steps, if any, do the Government intend to take in order to stop the export of rice from the district of Bankura?

(*c*) Are the Government considering the desirability of opening gratuitous relief in order to save the lives of children and old persons as well as of those persons who are suffering from illness or infirmity?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) There has been a failure of winter rice in certain thanas of Vishnupur subdivision. The District Board has started test relief works, but the attendance has fallen from 131 to 30. Sufficient work on good wages for the labouring class is available in the neighbourhood. Government have no information that any class of people are not getting their daily food.

(*b*) Government have no information that rice is being exported from Bankura. Inquiries will be made.

(*c*) Should the necessity arise Government are prepared.

Crop failure in Rajshahi.

***67. Babu SACHINDRA NARAYAN SANYAL:** (*a*) Is the Hon'ble Member in charge of the Department of Revenue aware that there has been a bad harvest in the district of Rajshahi this year causing misery to poor cultivators?

(*b*) Has the Hon'ble Member received any official or non-official representation about crop failure in the district?

(*c*) Are the Government considering the desirability of granting *takavi* loan or any other form of relief?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) Yes.

(*b*) Yes, the local officers took timely notice of the situation and have been reporting it weekly to Government.

(*c*) Yes.

Crop failure in Bankura, Birbhum and Burdwan.

***68. Mr. BIJAY PROSAD SINGH ROY:** (*a*) Will the Hon'ble Member in charge of the Department of Revenue be pleased to state whether it is a fact that certain parts of the districts of Burdwan, Birbhum and Bankura are threatened with scarcity of food grains on account of the failure of crops?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the names of the particular areas in the said districts where famine is apprehended?

(*c*) How many families or number of people are likely to be affected in each of the above-mentioned districts?

(*d*) What measures, if any, do the Government propose to take to give relief to the sufferers?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) Yes.

(*b*) Government do not yet apprehend famine conditions; but scarcity is apprehended in parts of the Sadar subdivision of Burdwan and in the Rampurhat subdivision of Birbhum and Vishnupur subdivision of Bankura.

(*c*) The information is not available.

(*d*) Measures proposed by Government are (*1*) agricultural and land improvement loans, (*2*) gratuitous relief, (*3*) advances to the District Boards for relief works according to circumstances. Already

Rs. 29,470 has been allotted for (*d*) in these three districts, and a further grant of Rs. 68,000 has been estimated for the rest of the year. Gratuitous relief of Rs. 2,000 has been granted to Birbhum. Government are prepared for advances to the District Boards if necessity arises.

Posting of Sub-Registrar Babu Promotha Bhusan Mukharji.

***69. Maulvi KASIRUDDIN AHAMAD:** (*a*) Will the Hon'ble Minister in charge of the Department of Education (Registration) be pleased to state whether it is a fact that since his appointment in 1912, Babu Promotha Bhusan Mukharji, the Sub-Registrar of Tushbhandar, is in the same station at Tushbhandar?

(*b*) What is the feeling amongst the local public about the said officer as Sub-Registrar at Tushbhandar?

(*c*) Are there any rules for the transfer of Sub-Registrars?

(*d*) Is Babu Promotha Bhusan Mukharji, the Sub-Registrar of Tushbhandar, exempted from the general rules of transfer?

MINISTER in charge of the DEPARTMENT of EDUCATION (REGISTRATION) (the Hon'ble Nawab Musharruf Hosain, Khan Bahadur): (*a*) Yes.

(*b*) Government have no reasons to think that the work of this officer has not given satisfaction to the public with whom he has to deal.

(*c*) No.

(*d*) The question does not arise.

The School Code.

***70. Mr. S. C. BOSE:** (*a*) Is the Hon'ble Minister in charge of the Department of Education aware that the Syndicate of the University of Calcutta have framed a set of rules entitled "The School Code" for the management of non-Government high schools affiliated to the University of Calcutta and have already enforced them in the case of unaided schools?

(*b*) Is it a fact that the introduction of "The School Code" in aided schools has been under consideration of the Government for the last nine months or more?

(*c*) Will the Hon'ble Minister be pleased to state whether the present Director of Public Instruction, Mr. E. F. Oaten, and Mr. H. E. Stapleton, Inspector of Schools, had any hand in the drawing up of "The School Code"?

(*d*) Will the Hon'ble Minister be pleased to state—

(*i*) why the Government are taking so long to consider the matter; and

(*ii*) whether there are any points of disagreement between the Government and the University of Calcutta in this matter?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

(*d*) (*i*) and (*ii*) Certain modifications of the School Code rules and those of the Grant-in-aid Code are necessary to enable them both to fulfil their objects with regard to aided schools. The University and Government are in correspondence on the subject.

Kulkati incidents.

***71. Maulvi ABDUL KARIM:** (*a*) With reference to the shooting by the Eastern Frontier Rifles at Kulkati on the 2nd March last under the orders of the District Magistrate, will the Hon'ble Member in charge of the Political Department be pleased to state when the Magistrate first received information that the Musalmans of Kulkati objected to the playing of music by any procession past their mosque?

(*b*) Was the question of rights investigated and decided upon by any competent authority?

(*c*) If so, by whom and under what provisions of the law was this done?

(*d*) Did the District Magistrate adopt any preventive measures by posting an adequate number of policemen and chaukidars at Kulkati previous to the occurrence and by issuing formal orders of proceedings under sections 144 and 107 and the kindred provisions of the Criminal Procedure Code or the Police Act?

(*e*) Did the men who assembled in the mosque premises actually use or attempt any violence against any man of the Magistrate's party or the Hindu processionists before the order to fire was given?

(*f*) Were they armed with any sort of firearms?

(*g*) Before the order to fire was given, were the Eastern Frontier Rifles asked to disperse the crowd by means other than shooting?

(*h*) If so, what were the means adopted?

The Hon'ble Mr. A. N. MOBERLY: (*a*) On the morning of the day of occurrence.

(*b*) and (*c*) Questions of rights are decided by the Civil Courts. Government are not aware that any suit has been brought for a declaration of rights in connection with the passage of processions with music before the Kulkati mosque.

(*d*) 15 men from the Eastern Frontier Rifles were posted at Kulkati as a precaution against possible trouble and there were 15 more at Ponabalia, from whom the Subdivisional Officer called up 5 more, when he saw trouble was likely to occur.

No formal orders were issued under the Criminal Procedure Code or the Police Act.

(*e*) No violence was used, but dangerous weapons were brandished at the Magistrate and his force.

(*f*) No, so far as Government are aware.

(*g*) No

(*h*) Does not arise.

Lewis Fund in the Bengal Government Press.

***72. Srijut TARAKNATH MUKERJEA:** (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether it is a fact that there is a kind of Provident Fund called the Lewis Fund in the Bengal Government Press?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) when that fund was first started,

(*ii*) what was the initial amount of money in the fund when it was first started;

(*iii*) what is the present amount of the fund;

(*iv*) what is the yearly average increment;

(*v*) the name of the bank with which this amount has been invested;

(*vi*) in whose name the amount has been deposited in the bank; and

(*vii*) whether any balance-sheet is annually prepared and presented to the member?

(*c*) If no balance-sheet is prepared and submitted, will the Hon'ble Member be pleased to state the reasons?

(*d*) Is it a fact that the salaried-hands are more benefited by it than the piece-hands?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons for this?

(*f*) Will the Hon'ble Member be pleased to lay on the table a statement showing the amount given from this fund to the salaried-hands and the piece-hands respectively during the last ten years?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. A. Marr): (*a*) There is a fund called the Lewis Fund in the Bengal Government Press, managed by a committee of which the Superintendent is the President.

(*b*) (*i*) The present fund was started in the year 1903.

(*ii*) Rs. 1,900.

(*iii*) About Rs. 12,200.

(*iv*) Average figures are not on record.

(*v*) The Imperial Bank of India.

(*vi*) The President of the Lewis Fund.

(*vii*) and (*c*) No. The accounts are audited periodically.

(*d*) No, all are treated alike.

(*e*) Does not arise.

(*f*) The information is not on record in this form.

Machine-men and ink-men in the Bengal Government Press.

***73. Srijut TARAKNATH MUKERJEA:** (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether it is a fact that the machine-men and the ink-men in the Bengal Government Press often have to sit idle for a long time for lack of work and an amount is given to them for this "waiting time"?

(*b*) Is it a fact also that many machines remain altogether idle throughout the whole year?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, will the Hon'ble Member be pleased to state the reasons for

(*i*) keeping machine-men and ink-men unemployed and giving them extra for "waiting time"; and

(*ii*) purchasing and indenting new machines from England?

The Hon'ble Mr. A. MARR: (*a*) Sometimes, but not for long, they have to wait when formes are not ready for their machines and under the rules they are paid according to the "hour rate" for such periods.

(*b*) Some old printing machines are not constantly employed.

(c) (i) The number of machine-men is not excessive, but sometimes they have to wait till formes are ready for their particular machines owing to the pressure of work varying from time to time.

(ii) Machines purchased in recent years are not printing machines.

Transfer of members of the Educational Services to and from the Presidency College.

*74. **Babu MANMATHA NATH ROY:** (a) Will the Hon'ble Minister in charge of the Department of Education be pleased to state the principles or rules on which transfers are effected amongst members of the Educational Services to and from the Presidency College?

(b) Is it a fact that in determining the question of transfer the Government afford facilities for research by the transfer to the Presidency College of such teachers as have been engaged in original research or have made original contributions?

(c) If so, will the Hon'ble Minister be pleased to state the names of the teachers who have been on the staff of the said College for seven years, and the original contributions made by each?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (a) There are no prescribed rules. The dominant consideration is the obtaining of the lecturer or professor best qualified to do the work of the College.

(b) No. If a mufassal teacher has done good research work, it strengthens his claim to the vacancies which may arise, but that is all.

(c) Does not arise.

Earnings of the workers in the Bengal Government Press.

*75. **Dr. KUMUD SANKAR RAY:** (a) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether it is a fact that in the Bengal Government Press the earnings of the piece-hands are gradually decreasing while those of the salaried hands are gradually increasing?

(b) Will the Hon'ble Member be pleased to lay on the table a comparative statement of the earnings of the—

(1) Superintendent;

(2) 3 Deputy Superintendents;

(3) Head Clerk and 3 other clerks;

(4) Head Computers;
(5) any three computers;
(6) any three compositors (Section 2);
(7) any five compositors (Section 3);
(8) any three compositors (Section 4);
(9) any five binders;
(10) any five distributors;
(11) any five pressmen;
(12) any five machine-men;
(13) any five ink-men;

in 1921 (June to October) and in 1927 (June to October), noting therein the names of each employee?

(c) If the reply to (a) is in the affirmative, are the Government considering any scheme of revision for proper readjustment of the earnings of the two kinds of employees, (1) salaried, and (2) piece?

The Hon'ble Mr. A. MARR: (a), (b) and (c) It was noticed by the Piece-workers' Committee which sat in 1926 that the earnings of piece-workers were decreasing. Certain remedial measures were recommended, and Government have issued orders giving effect to the recommendations. The effect of these orders will be observed by Government.

Appointment of honorary surgeons and physicians in the Howrah General Hospital.

***76. Babu KHAGENDRA NATH GANGULY:** (a) Is the Hon'ble Minister in charge of the Department of Local Self-Government aware that the late Sir Surendra Nath Banerjea introduced the system of appointment of honorary surgeons and physicians in some of the hospitals?

(b) If so, will the Hon'ble Minister be pleased to state the names of the hospitals where the experiment has been tried?

(c) Has the experiment proved beneficial to the public?

(d) If the answer to (c) is in the affirmative, are the Government considering the desirability of introducing the experiment in other hospitals?

(e) Has the attention of the Hon'ble Minister been drawn to the proposal before the Managing Committee of the Howrah General Hospital for introducing a similar system?

HON'BLE MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Provash Chunder Mitter): (a) and (b) The system was already in force at the Sambhu Nath Pandit Hospital. It was extended to the Medical College Hospitals

and to the Campbell Hospital under the late Sir Surendra Nath Banerjea's orders.

(c) Yes.

(d) Yes.

(e) No.

Pay of the Sub-Inspectors and Sergeants in the Calcutta Police.

*77. **Babu MANMATHA NATH ROY:** (a) Will the Hon'ble Member in charge of the Police Department be pleased to state the scale of pay of the Sub-Inspectors and the Sergeants, respectively, in the Calcutta Police Force at the beginning of the year 1927?

(b) Has the scale been raised in the case of either or both of the Sub-Inspectors and the Sergeants since then?

(c) If so, what is the new scale?

(d) If the answer to (c) is in the affirmative, what are the reasons for the action taken?

HON'BLE MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (a) The scale of pay for both ranks is Rs. 150—5/2—200.

(b) No.

(c) and (d) Do not arise.

Bridge on the Mahananda river.

*78. **Babu ROMES CHANDRA BACCHI:** (a) Will the Hon'ble Minister in charge of the Department of Public Works be pleased to state whether the District Board of Malda or any other public body of the same district has sent any proposal to the Government for the erection of a bridge on the Mahananda river connecting the town of Malda with the Malda railway station?

(b) If so, what action, if any, has so far been taken on the proposal?

HON'BLE MINISTER in charge of DEPARTMENT of PUBLIC WORKS (the Hon'ble Sir Provash Chunder Mitter): (a) No such proposal has been received.

(b) Does not arise.

Rules for the transfers of District Engineers.

*79. **Srijut NAGENDRA NATH SEN:** Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to

state whether it is in the contemplation of the Government to make rules to provide for the transfers of District Engineers from one district to another?

The Hon'ble Sir PROVASH CHUNDER MITTER: No.

The Maraganga Channel.

***80. Mr. S. C. BOSE:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state what action, if any, has been taken by the Government to give effect to the scheme of re-excavation of the Maraganga Channel?

(*b*) Will the Hon'ble Member be pleased to state the reasons which led the Government to approve of the estimate of of 1911 and to discard the estimates based on further experience drawn up in subsequent years?

(*c*) Will the Hon'ble Member be pleased to state whether there has been any further enquiry subsequent to 1923?

(*d*) If so, what is the date of the last inquiry regarding this matter?

(*e*) Will the Hon'ble Member be pleased to state whether any inquiry has been made by Mr. P. C. Ray (P. W. D.) this year?

(*f*) Has Mr. P. C. Ray submitted any report and estimate of costs?

(*g*) If so, will the Hon'ble Member be pleased to lay on the table a copy of his investigation report and estimate of costs?

(*h*) What action, if any, do the Government contemplate taking on the report of that officer?

(*i*) Is it a fact that the volume of opinion of Sanitary Officers in this district is in favour of re-excavation of the channel?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) A scheme for improving the Maraganga Channel has recently been sent to the Collector of the 24-Parganas for taking action under Act VI of 1920.

(*b*) Mr. Bose is referred to the answer given him in the last session to starred question No. 84. Subsequent schemes were discarded because they were considered too expensive in comparison with the benefits to be derived.

(*c*) and (*d*) As at (*a*).

(*e*) No.

(*f*) No.

(*g*) This does not arise.

(*h*) Action will be taken by the Collector under Act VI of 1920.

(*i*) Not known.

Medical and Public Health Standing Committee.

*81. **Dr. KUMUD SANKAR RAY:** (a) Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state whether the members of the Medical and Public Health Standing Committee have been consulted in any matter since its formation?

(b) Were the members of the Medical and Public Health Standing Committee of the second Reforms Council consulted in any matter during their tenure of office?

(c) If so, in what matters and on how many occasions were they consulted?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a) Yes.

(b) Yes.

(c) Once on 1st March, 1926, on the following matters:—

Agenda.

(a) Mental Hospitals Report for 1924

(b) Dispensary Report for 1924.

(c) Chemical Examiner's Report for 1924.

(d) Public Health Report for 1924.

(e) Vaccination Report for 1924-25.

(1) Departmental Reports.

(2) Public Health Organisation Scheme.

(3) Anti-kala-azar measures.

(4) Anti-malarial schemes.

(5) Measures taken by Government for improvement of rural water-supply.

(6) Medical Schools policy.

(7) Increase of fees payable by the students of the Medical College.

Indian Mental Hospital at Kanke (Ranchi), representation of Bengal on the Managing Committee.

*82. **Mr. A. C. BANERJEE:** (a) Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state what is the percentage of patients at present from Bengal in the Indian Mental Hospital at Kanke (Ranchi)?

(*b*) Is there an executive committee or governing body to look after and guide the working and management of the hospital?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state who it consists of and to what extent is Bengal represented on it?

(*d*) Is there any Indian serving on such committee or governing body as representing Bengal? If not, why not?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) 75 per cent.

(*b*) (*c*) and (*d*) A Managing Committee has recently been appointed, consisting of the following members:

(1) Nominated by the Government of Bengal—

(*A*) Two ex-officio members, viz., Secretary to the Government of Bengal, Local Self-Government Department, and the Surgeon-General with the Government of Bengal.

(2) Six non-official members, viz.: (1) Dr. Sir D. P. Sarbadhikari, KT., C.I.E., C.B.E., M.L.C., (2) Dr. Bidhan Chandra Roy, M.R.C.S., F.R.C.S., M.L.C., (3) Mr. Syed Md. Atiqullah, B.L., M.L.C., (4) Khan Bahadur K. G. M. Faroqui, M.L.C., (5) Dr. Rai Chuni Lal Bose Bahadur, C.I.E., I.S.O., M.B., F.C.S., (6) Mrs. Mrigendra Lal Mitter.

(*B*) Nominated by the Government of Bihar and Orissa—

(*A*) Four ex-officio members, viz.: (1) Commissioner of the Chota Nagpur Division (ex-officio Chairman); (2) Inspector-General of Civil Hospitals, Bihar and Orissa; (3) Secretary to the Government of Bihar and Orissa, Local Self-Government Department; (4) the superintendent of the hospital (ex-officio Secretary).

(2) Two non-official members.

Grant to the Government Ayurvedic Committee.

***83. Babu AKHIL CHANDRA DATTA:** (*a*) Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that sums of Rs. 70,000 as initial cost and Rs. 75,000 as recurring grant were recommended by the Ayurvedic Committee appointed by the Bengal Government?

(*b*) What action, if any, do the Government propose to take on the said recommendation and on other recommendations of the said Committee?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) The Committee made certain recommendations which Government are not prepared at present to publish.

(*b*) The matter is under consideration.

Piece-hand employees in the Bengal Government Press.

***84. Dr. KUMUD SANKAR RAY:** (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether it is a fact that in the Bengal Government Press piece-hand employees are made permanent not according to seniority, nor by any examination?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state on what rules such appointments are made permanent?

(*c*) Will the Hon'ble Member be pleased to lay on the table a statement showing—

(*i*) the number at present employed in the Bengal Government Press of (*1*) Pressmen, (*2*) Compositors, (*3*) Distributors, (*4*) Binders, (*5*) Machinemen, and (*6*) Inkmen;

(*ii*) the names of each whether permanent or not;

(*iii*) the date of appointment of each;

(*iv*) the date from which the respective appointments have been made permanent; and

(*v*) the period of leave granted to each?

The Hon'ble Mr. A. MARR: (*a*) and (*b*) In accordance with the rules on the subject men are selected for promotion from the extra piece to the permanent piece establishment on account of their qualifications, regular attendance, general good conduct and length of service on the extra piece establishment.

(*c*) The labour involved in compiling the information sought is incommensurate with its value, and Government are not prepared to undertake it.

Apprehension of famine in Birbhum.

***85. Babu JITENDRALAL BANNERJEE:** (*a*) Is the Hon'ble Member in charge of the Department of Revenue aware that acute famine-conditions prevail in the northern part of the Birbhum district, owing to serious deficiency in the rainfall and the total failure of winter crops?

(*b*) Have the Government undertaken any relief measures for the alleviation of the distress?

(*c*) If so, will the Hon'ble Member be pleased to make a statement concerning such steps as may have been undertaken, specially in respect of the following particulars:

(*i*) the amount placed in the hands of District Magistrates for *takavi* advances and loans for agricultural improvement,

(*ii*) the amount advanced to the District Board for expenditure upon relief works, and

(*iii*) expenditure upon relief work, if any, started direct by the Government?

(*d*) Are the Government considering the advisability of utilising to the fullest extent such non-official agencies as exist in the areas concerned, for the relief of distress and of issuing instructions to the local officers?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) There has been a failure of winter crops in the Rampurhat subdivision of the district, but at present famine conditions do not prevail. Up to date the agricultural labourers, who have been chiefly affected, have been able to find work either on District Board relief works or in areas where the crops have been normal.

(*b*) Yes. In addition to other measures Government have given Rs. 2,000 for gratuitous relief.

(*c*) (*i*) Rs. 13,470 for agricultural loans; Rs. 8,000 for land improvement loans.

(*ii*) Since September the District Board has spent about Rs. 5,500 on relief works. The average attendance in December has fallen below 60 labourers. Government are prepared to make advances to the District Board when the necessity arises.

(*iii*) The Irrigation Department have two schemes in hand, viz., the Bakreshwar and Bamanigram schemes. Earthwork on the former has started, but figures are not available for the expenditure up to date.

(*d*) Government are quite willing to utilise the help of all non-official agencies to the fullest extent and the local officers are aware of this.

Cadastral survey in the Sadar subdivision of Burdwan district.

***86. Mr. BIJOY PROSAD SINGH ROY:** (*a*) Will the Hon'ble Member in charge of the Department of Revenue be pleased to state

whether it is a fact that cadastral survey has been undertaken by the Government in the Sadar subdivision of Burdwan district?

(*b*) Is the Hon'ble Member aware that most part of the subdivision is threatened with famine?

(*c*) If so, are the Government considering the desirability of discontinuing the survey?

(*d*) Is it a fact that crops have been removed in certain areas to make passage for the surveyors to the field?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) Cadastral survey has been undertaken in only four thanas of the Sadar subdivision, namely, Burdwan, Galsi, Ausgram and Bhatar.

(*b*) The winter paddy crop has partially failed over the greater part of Galsi and Ausgram thanas and about one-third of Bhatar. In these areas there may be distress later in the season. In the rest of the area the prospect of crop is satisfactory.

(*c*) No.

(*d*) No.

Receipts and expenditure for settlement operation in districts.

***87. Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur:** (*a*) Will the Hon'ble Member in charge of the Department of Revenue be pleased to lay on the table a statement showing—

(*i*) the districts where the settlement operation is over;

(*ii*) the amount realized in each district; and

(*iii*) the amount spent in each district?

(*b*) Will the Hon'ble Member be pleased to state whether the amount realized was in excess of the amount spent?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) how and under what order the excess amount was disposed off; and

(*ii*) who was responsible for this excess realization?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) A statement is laid on the table.

(*b*) No.

(*c*) Does not arise.

Statement referred to in the reply to clause (a) of starred question No. 87.

Name of district	Gross expenditure	Miscellaneous receipts	Net expenditure	Maintenance of boundary marks	Total net expenditure (Cols. 4 & 5).	Total recoveries
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Bakarganj	28,33,251	2,85,190	25,48,061	10,000	25,58,061	16,32,289
Faridpur ..	32,22,609	5,26,939	26,95,670	10,675	27,06,345	16,87,516
Jalpaiguri .	20,78,835	1,81,843	18,96,992	5,681	19,02,673	6,12,117
Dacca	27,03,685	3,46,425	23,57,260	20,000	23,77,260	22,34,798
Mymensingh	46,97,376	7,33,054	39,64,322	37,026	40,01,348	32,42,163
Tippera-Noakhali	25,96,680	5,44,740	20,51,940	17,262	20,69,202	16,15,274
Rajshahi	32,85,991	4,97,976	27,88,015	20,930	28,08,945	22,29,669
Midnapur	33,40,817	6,71,943	26,68,874	23,805	26,92,679	22,68,080
Bankura .	28,32,165	3,56,831	24,75,634	18,797	24,94,431	19,29,158
Jessore	32,53,073	4,45,310	28,07,763	16,675	28,24,438	25,51,597

Classification of prisoners in Jails.

***88. Babu JITENDRALAL BANERJEE:** (*a*) Will the Hon'ble Member in charge of the Jails Department be pleased to state whether any class of prisoners in Bengal Jails are known as political prisoners?

(*b*) Is it a fact that persons convicted under section 124A of the Indian Penal Code are known as political prisoners?

(*c*) Is it a fact that the cases of such political prisoners are dealt with, not by the Hon'ble Member in charge of Jails, but by the Hon'ble Member in charge of the Political Department?

MEMBER in charge of JAILS DEPARTMENT (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur, of Nadia): (*a*) and (*b*) No. There is no such classification in force in Bengal.

(*c*) No, unless the question arises whether a prisoner is to be classed as a "special class" prisoner under Chapter XXXIV A of the Jail Code.

Bankura-Damodar Railway line.

86. Babu PROMOTHA NATH BANERJEE: (*a*) Is the Hon'ble Member in charge of the Department of Public Works (Railways) aware that certain villages such as Rainagore, Bogra, etc., of the Raina thana, in the Burdwan district, suffer yearly from rush of water due to the construction of the Bankura-Damodar Railway line?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of drawing the attention of the authorities of the said Railway to this matter?

The Hon'ble Mr. A. MARR: (*a*) and (*b*) Government have no information to show that there is any obstruction.

Passengers' shed on the central platform at the Parbatipur Railway Station.

57. Babu JOGINDRA CHANDRA CHAKRAVARTI: (*a*) Will the Hon'ble Member in charge of the Department of Public Works (Railways) be pleased to state the total amount of costs incurred in constructing the passengers' shed on the central platform at the Parbatipur Railway Station on the Eastern Bengal Railway?

(*b*) Is the Hon'ble Member aware that the shed does not cover the entire platform breadthwise and that a good portion of the platform on both sides of the shed lies uncovered?

(*c*) Is the Hon'ble Member aware that the shed which has been constructed affords no protection to the passengers during heavy showers?

(*d*) Is it in contemplation to extend the shed on both sides, so as to cover the entire platform from east to west, *i.e.*, its entire width?

(*e*) Is it in contemplation to provide a waiting room in the central platform for higher class passengers travelling from metre-gauge to broad-gauge line and *vice versa*?

(*f*) Is it in contemplation to construct a waiting room for Indian ladies in the same platform?

The Hon'ble Mr. A. MARR: (*a*) to (*f*) Government have no information. These are matters which may be referred to the Advisory Committee of the Eastern Bengal Railway.

Publication of His Excellency the Governor's speeches and Government House news.

58. Babu AKHIL CHANDRA DATTA: (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that His Excellency the Governor's speeches and Government House news are given for publication exclusively to the Associated Press?

(*b*) Is it a fact that Free Press of India made an application for the same privilege and for an equal treatment with the Associated Press in this respect?

(*c*) If so, what order, if any, has been passed by the Government thereon?

(*d*) Is it a fact that His Excellency the Governor's speeches and Government House news are not given to the Indian papers at the same time with the Associated Press?

The Hon'ble Mr. A. N. MOBERLY: (*a*) and (*d*) Government can give no information on this subject which is dealt with by the personal staff of His Excellency the Governor.

(*b*) and (*c*) The Free Press of India made a representation to the Political Department on the subject and was directed to address the Private Secretary to His Excellency the Governor.

Composing materials and stationeries in the Bengal Government Press.

59. Maulvi LATAFAT HUSSAIN: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to lay on the table a statement showing the amount, separately under each head, as far as practicable, year by year, from 1911 to 1926 spent by the Bengal Government Press on account of

(*i*) composing materials like (*1*) spirits, (*2*) petrol, (*3*) rope, (*4*) turpentine, (*5*) brush, (*6*) molasses, (*7*) flour, (*8*) coal, (*9*) composing racks, (*10*) composing cases, (*11*) shooting bars, and

(*ii*) stationeries like (*1*) blotting paper, (*2*) paper, and (*3*) printing ink?

(*b*) Will the Hon'ble Member be pleased to state whether the Bengal Government Press offers tenders for the supply of the above requirements?

(*c*) If so, will the Hon'ble Member be pleased to lay on the table a statement showing, year by year, from 1911 to 1926

(*i*) the number of tenders received in reference to each of the above named articles, and

(*ii*) the names of those whose tenders have been accepted?

The Hon'ble Mr. A. MARR: (*a*) and (*c*) The labour involved in the collection of this information is incommensurate with its value, and Government are not prepared to undertake it.

(*b*) Tenders are taken for the supply of certain stores in common use.

Selection of candidates for the Police Commissioner's and Private Secretary's presses.

60. Maulvi LATAFAT HUSSAIN: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether the Bengal Government Press authorities held any examination for selecting candidates for the Police Commissioner's Press and Private Secretary's Press? If not, why not?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a statement showing, year by year, from 1909 to 1926, the names of candidates who appeared and passed such examinations?

(*c*) Will the Hon'ble Member be pleased to state whether any notices of such examinations are published beforehand?

The Hon'ble Mr. A. MARR: (*a*) No examination is held as it is not considered necessary.

(*b*) and (*c*) Do not arise.

Grand Trunk Road from Howrah to Bandel.

61. Srijut TARAKNATH MUKERJEA: (*a*) Will the Hon'ble Minister in charge of the Public Works Department be pleased to state what amount has been allotted this year (1927-28) for the repairs of the Grand Trunk Road from Howrah to Bandel?

(*b*) Up to what distance, from Howrah, will the Grand Trunk Road be macadamised and when?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) The allotment is about Rs. 75,000.

(*b*) The member is referred to the reply given to his unstarred question No. 61 (*a*) at the February 1927 session of the Council.

Saraswati and Ghea projects.

62. Srijut TARAKNATH MUKERJEA: (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state what steps have been taken, up to date, to work out the Saraswati project, in the Hooghly and Howrah districts?

(*b*) How far has the Ghea project in the Hooghly district advanced?

(*c*) What steps, if any, are being taken to complete the Saraswati and the Ghea projects?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI Khan Bahadur, of Dhanbari: (*a*) There is no intention of carrying out any large scheme for the improvement of the Lower Saraswat because there is no water to flush the channel with.

(*b*) It is reported that the project is under preparation.

(*c*) A project for improving the Upper Saraswati is expected shortly.

Sub-Deputy Collectors.

63. Mr. A. F. M. ABDUR RAHMAN: Will the Hon'ble Member in charge of the Appointment Department be pleased to state why Sub-Deputy Collectors are not freely vested with first class magisterial powers?

HON'BLE MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. A. N. Moberly): Because the Bengal Junior Civil Service has been constituted for the discharge of minor duties, revenue, magisterial and administrative, and first class powers are not required for the discharge of minor magisterial duties.

Chaukidari tax in the flood-stricken areas of the Contai subdivision.

64. Babu PROMOTHA NATH BANERJEE: (*a*) Is the Hon'ble Member in charge of the Police Department aware that the collecting panchayets have served notice for collection of chaukidari tax on the raiyats of the flood-stricken areas of the Bhagabanpur and Pataspur thanas of the Contai subdivision?

(*b*) If so, what steps, if any, are being taken in the matter?

The Hon'ble Mr. A. N. MOBERLY: (*a*) and (*b*) Government have no information as to the action taken by collecting panchayets in these areas. Proposals regarding the remission of taxes assessed for the first three quarters of the current year on the poorer inhabitants of the most badly affected areas are under consideration.

Retention of dismissed Government servants in the Dacca Nawab Estate.

65. Maulvi MOHAMED SADEQUE: (*a*) Will the Hon'ble Member in charge of the Department of Revenue be pleased to state whether it

is a fact that the services of some dismissed Government servants were retained in the Dacca Nawab Estate after it came under the management of the Court of Wards?

(*b*) Is it a fact that the services of all the servants employed under the Dacca Nawab Estate previous to its management under the Court of Wards, were not retained?

(*c*) Is it a fact that some co-sharer of the Dacca Nawab Estate protested against the retention of services mentioned in (*a*)?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

Scarcity of good drinking water.

66. Mr. A. F. M. ABDUR RAHMAN: (*a*) Is the Hon'ble Minister in charge of the Department of Local Self-Government aware that scarcity of good drinking water due to failure of monsoon rain this year is being acutely felt in many parts of Bengal?

(*b*) If the answer to (*a*) is in the affirmative, what steps, if any, have the Government taken or do they propose to take to effectively meet the situation?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Yes.

(*b*) Government have made the usual grant of Rs. 2½ lakhs to help in meeting the cost of water-supply schemes in rural areas. The tube-well boring plant of the Public Health Department has been lent to the District Magistrate of Malda, in which district scarcity of water is very acutely felt. Any application that may be received from local authorities for special help will receive due consideration.

Acquisition of lands in Belur by the East Indian Railway.

67. Babu KHAGENDRA NATH GANGULY: (*a*) Has the attention of the Hon'ble Member in charge of the Department of Public Works (Railways) been drawn to the objections by the residents of Belur to the proposed acquisition of lands in that village for the purpose of constructing staff quarters and store yard by the East Indian Railway?

(*b*) Is the Hon'ble Member aware that the Municipal Commissioners of Bally have passed unanimous resolutions condemning the proposed acquisitions on the ground that there was no *bonâ fide* necessity for the same as also that the said proposal will cause serious obstruction to the drainage of the entire locality?

(c) Is the Hon'ble Member aware that the proposed acquisition includes amongst other things a long standing temple of the Goddess Shitala Devi which, if removed, is bound to wound the religious feelings of the Hindu public?

(d) Is the Hon'ble Member aware that to the west and north side of the proposed acquisition for a new store yard as published in Notification No. 3469 L.A., dated the 4th March, 1927, in the *Calcutta Gazette*, there are large tracts of vacant land which can be utilised for a store yard without dehousing ancient families as in the case of the proposed acquisition?

(e) Will the Hon'ble Member be pleased to state whether it is a fact that the land proposed to be acquired by Notification No. 2931 L.A., dated the 23rd February, 1927, for staff quarters has 40 or 50 acres of vacant land contiguous to the land proposed for acquisition and belonging to the said Railway?

(f) Will the Hon'ble Member be pleased to state whether it is in the contemplation of the Government to abandon and cancel the said proposal?

(g) If the answer to (f) is in the negative, will the Hon'ble Member be pleased to state whether the Government are considering the desirability of acquiring the alternative sites as suggested by the inhabitants of Belur on the ground of their being less objectionable?

The Hon'ble Mr. A. MARR: (a) to (g) The question of the acquisition of the lands referred to and the objections made by the public in this connection are under consideration by this Government, who are not in a position to give further information at present.

State prisoners and other détenus.

68. Mr. SUBHAS CHANDRA BOSE: (a) Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing how many détenus were on the 28th November, 1927—

(i) in custody in jail under the Bengal Regulation III of 1818 and the Bengal Criminal Law Amendment Act, 1925;

(ii) interned in villages in Bengal; and

(iii) externed outside Bengal?

(b) Will the Hon'ble Member be pleased to state the names of détenus in 3 separate groups, who were on the 28th November, 1927—

(i) confined in jail;

(ii) interned in Bengal villages; and

(iii) externed outside Bengal?

The Hon'ble Mr. A. N. MOBERLY: (*a*) A statement is laid on the table.

(*b*) Government are not prepared to publish this information.

Statement referred to in the reply to clause (a) of unstarred question No. 68 showing the distribution of the détenus under the Bengal Criminal Law Amendment Act and State prisoners under Regulation III of 1818 on the 28th November, 1927.

In custody in jail 25.		
Interned in villages in Bengal		
In village domicile		40
In home domicile		27
	Total	67

Externed outside Bengal 9.

Paper books, cost of.

69. Mr. A. F. M. ABDUR RAHMAN: Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement showing from April, 1926, to March, 1927 -

(*i*) the different items of costs in regard to the preparation of paper books in the Appellate Side of the Calcutta High Court;

(*ii*) the proportion of costs covered by the Government contribution and

(*iii*) the amounts of such Government contribution in regard to the cases of first appeals (including miscellaneous cases) and the Privy Council Appeals?

The Hon'ble Mr. A. N. MOBERLY: This information can be supplied only after an immense amount of labour and research such as is out of all proportion to its value or utility, and Government do not feel justified in asking the High Court to undertake the work involved in its compilation.

Location of the Compensation Commissioner's office.

70. Mr. K. C. RAY CHAUDHURI: (*a*) Is the Hon'ble Member in charge of the Department of Commerce aware of the inconvenience

suffered by injured workmen, claiming compensation for injuries, due to the location of the Compensation Commissioner's office in Calcutta?

(*b*) Is the Hon'ble Member aware that the majority of accidents occur in jute mill centres?

(*c*) Are the Government considering the desirability of arranging for the occasional sitting of the Commissioner's Court in different jute mill centres?

The Hon'ble Mr. A. MARR: (*a*) No. The location of the Court of the Commissioner for Workmen's Compensation is now well known among workers, especially jute workers.

(*b*) For the year ending 31st December, 1926, the number of accidents in jute mills was 1,206, and in other factories, 1,804.

(*c*) It is already the practice of the Commissioner to try cases locally, when he considers such local trials necessary.

Names and number of presses visited by the Inspector of Factories.

71. Maulvi MUHAMMAD SOLAIMAN: (*a*) Will the Hon'ble Member in charge of the Department of Commerce be pleased to lay on the table a statement showing the names and number of presses visited by the Inspector of Factories during the last eleven months, noting therein the remarks made by him each time he visited a press?

(*b*) Is it not a fact that he was informed by the Secretary of the Calcutta Press Employees' Association of long hours of work and unhealthy conditions prevailing in the private presses?

(*c*) If so, what action, if any, has the Inspector of Factories taken for the removal of these grievances?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. A. Marr): (*a*) The compilation of the statement asked for by the member would involve more clerical labour than is justified, but the following statement gives the chief items of information required:—

(*i*) The number of registered printing presses in Bengal is 81.

(*ii*) The number of inspections made from the 1st January to the 8th December, 1927, was 107.

(*iii*) The number of orders issued in connexion with the various irregularities observed in the course of above inspections were

Irregularities.	Number of orders.
(*1*) Fencing ...	69
(*2*) Safety of building ...	3
(*3*) Lighting ...	2

Irregularities.	Number of orders.
(4) Ventilation	9
(5) Lime-washing	10
(6) Sanitation	20
(7) Hours of labour (employment beyond specified hours)	14
(8) Sunday employment	3
(9) Posting of abstracts	13
(10) Employment registers	30
(11) Employment of children	4

(iv) The number of prosecutions was

(1) For the year 1926—28 cases against 6 presses.

(2) For the year 1927—6 cases against 5 presses.

(b) and (c) Yes. The Secretary, Calcutta Press Employees' Association, wrote to, and also interviewed, the Chief Inspector of Factories regarding the number of hours worked in some presses in comparison with those worked in others, and also regarding intervals of rest. The Chief Inspector of Factories explained the requirements of the Act to the Secretary, and he was informed that if he would bring to the notice of the department irregularities as regards hours of work and rest intervals, the necessary action would be taken. No further correspondence or complaints have since been received.

Scarcity in Balurghat.

72. Maulvi KADER BAKSH: (a) Is the Hon'ble Member in charge of the Department of Revenue aware that the scarcity of food-stuffs in Balurghat subdivision of Dinajpur district has assumed an alarming shape?

(b) Is the Hon'ble Member aware—

(i) that the relief works started by the District Board, Dinajpur, have been closed for want of funds;

(ii) that the relief works attracted 2,700 people to the relief centre for work; and

(iii) that the said number came down to 850 within 3 days?

(c) Is it a fact that people living in the affected area owning 10 bighas of land were deprived of the benefit of the relief works in pursuance of some instruction given to the Officer in charge at Sapahar Centre?

(d) If so, will the Hon'ble Member be pleased to state who is the officer that issued the instruction?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) No.

(*b*) (*i*) No.

(*ii*) The maximum number employed on relief work rose to about 1,300.

(*iii*) The number gradually came down to 125 on 29th November, 1927, with the commencement of the harvesting season.

(*c*) and (*d*) No information is available; but enquiries are being made.

Crop failure in Balurghat.

73. Maulvi KADER BAKSH: (*a*) Is the Hon'ble Member in charge of the Department of Revenue aware that almost the whole of the *rabi* crops sown by the people of the Balurghat subdivision have failed as a consequence of untimely and insufficient supply of seeds?

(*b*) What steps, if any, have been or are being taken by the Government to relieve the distress and the suffering of the people?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) Yes.

(*b*) Rs. 19,000 has been granted as Agricultural and Land Improvement loans.

The District Board has undertaken test works on which Rs. 26,000 has been spent. Government are prepared to advance money for further works, if the necessity arises.

Temporary settled estates, Bakarganj.

74. Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: (*a*) Will the Hon'ble Member in charge of the Department of Revenue be pleased to state how many temporary settled estates of Bakarganj are under revision of revenue and for settlement?

(*b*) What has been the increment of revenue and for how many estates?

The Hon'ble Maharaja KSHAUNISH CHANDRA Ray Bahadur, of Nadia: (*a*) Settlement of 422 temporarily-settled estates with a view to revision of land revenue has been undertaken in Bakarganj.

(*b*) In 96 estates, which have been completed, there has been an increase of Rs. 14,858 in land revenue.

Cess revaluation in Khulna and appointment of Muhammadans.

75. Maulvi SHAMSUR RAHMAN: (*a*) Is the Hon'ble Member in charge of the Department of Revenue aware that cess revaluation work has recently been opened in the district of Khulna?

(*b*) Will the Hon'ble Member be pleased to lay on the table a statement showing—

(*i*) the number of ministerial officers appointed to carry on the work with the qualifications that have been taken into consideration for appointment in each case; and

(*ii*) the number of Musalmans appointed?

(*c*) Will the Hon'ble Member be pleased to state whether Circular No. 3386 A., dated the 20th April, 1914, of the Government of Bengal, Appointment Department, regarding appointments of Musalmans have been given effect to in this case? If not, why not?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) Yes, from June, 1927.

(*b*) (*i*) Total 47, *viz.*—

With previous cess revaluation or settlement experience—33.

Previous war service—2.

Outside (Matric—9, I.A.—3)—12

(*ii*) 9.

(*c*) As far as possible, consistently with efficiency, as the nature of the work requires men with previous experience.

Cess revaluation in Hooghly and Howrah.

76. Babu KHAGENDRA NATH GANGULY: (*a*) Is the Hon'ble Member in charge of the Department of Revenue aware of the discontent prevailing in the districts of Hooghly and Howrah owing to the recent revaluation of the road cess?

(*b*) Is it a fact that in the recent assessment the amount has been doubled and in some cases trebled?

(*c*) What are the total amounts of road cess realised before and after the revaluation in respect of Tauzis Nos. 3317, 3154 and 3079 of the Hooghly Collectorate?

(*d*) What are the reasons for such increase?

(*e*) Is it a fact that the recent revaluation was made without any inquiry?

(*f*) Is the Hon'ble Member aware that these assessments have caused hardship to the small tauzi holders?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) No.

(*b*) and (*c*) Yes, in some exceptional cases—

Tauzi No. 3317—Before revaluation—Re. 1-9-9. After revaluation—Rs. 4-13.

Tauzi No. 3154 Before revaluation Re. 1-10-½. After revaluation Rs. 7-9.

Tauzi No. 3079 Before revaluation—Re. 1-11. After revaluation—Rs. 7-5.

(*d*) The reason is increase in the annual value of the lands.

(*e*) No.

(*f*) No.

Teaching hours of the Principals of certain colleges.

77. Maulvi ABUL KASEM: Will the Hon'ble Minister in charge of the Department of Education be pleased to state how many hours teaching work per week is done by the Principal of the

(*a*) Presidency College;

(*b*) Calcutta Madrasah; and

(*c*) Islamia College?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (*a*) 2.

(*b*) 3.

(*c*) 9.

Zilla school at Burdwan.

78. Maulvi ABUL KASEM: (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state whether it is a fact that in accordance with a resolution passed unanimously by the Bengal Legislative Council and accepted by the Government it was decided to establish a Government High School, commonly known as zilla school at Burdwan?

(*b*) Is it a fact that a site was purchased at a heavy cost and a suitable building was erected for the purpose?

(c) Will the Hon'ble Minister be pleased to state why the proposal has been abandoned?

(d) Is it a fact that the building has been let out to a committee for an aided school?

(e) Is it a fact that the Government has paid all the initial expenses for establishing the school?

(f) Is it a fact that all the recurring expenses of the school are paid by the Government in the shape of grant-in-aid?

(g) If the answer to (f) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government are considering the desirability of converting that school into a Government one?

(h) Is it a fact that in all the districts of Bengal, except Midnapore and Burdwan, there are Government high schools?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: (a) Yes.

(b) Yes.

(c) At the time when the building was completed, retrenchment of expenditure became an urgent matter, and it was decided to start the school on an aided basis, which was cheaper than a Government School would have been. This also accorded with the views of the Retrenchment Committee.

(d) Yes.

(e) Yes.

(f) The recurring expenses are met from the grant-in-aid, and from fees.

(g) Not if experience shows that the school can function satisfactorily on the smaller expenditure now entailed. A Government School will cost a great deal more than the amount of the present grant.

(h) Yes.

Persons dealt with under the Goondas Act and Emergency Security Act.

79. Mr. ABDOOL RAZAK HAJEE ABDOOL SATTAR: (a) Will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a statement showing—

(i) how many men have been convicted since the Goondas Act has come into force;

(*ii*) how many amongst the convicts are Muhammadans;

(*iii*) how many are Hindus;

(*iv*) how many are natives or domiciled Bengalis; and

(*v*) how many are outsiders?

(*b*) Will the Hon'ble Member be pleased to state how many men have been compelled to leave Calcutta since the passing and enforcement of the Presidency Area (Emergency) Security Act, 1926?

(*c*) Will the Hon'ble Member be pleased to state how many amongst the convicts charged under the said Act are

(*i*) Hindus, and

(*ii*) Muhammadans?

The Hon'ble Mr. A. N. MOBERLY: (*a*) A statement is laid on the table.

(*b*) 406 persons have been externed from Calcutta under the Presidency Area (Emergency) Security Act, 1926.

(*c*) The total number of persons dealt with under that Act is 458, of whom 239 are Hindus and 219 Muhammadans.

Statement referred to in the reply to clause (a) of unstarred question No. 79 showing the religion and domicile of those externed under the Goondas Act since the Act came into force.

		Native or domiciled Bengalis	Outsiders	Total of columns 2 and 3.
Muhammadans	.. ..	46	61	107
Hindus ..	.. ..	32	43	75
Other religions	.. ..	1	..	1
	Total ..	79	104	183

Sergeants in the Calcutta Police.

80. Babu SATYENDRA CHANDRA GHOSH MAULIK: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state the number of sergeants in the Calcutta Police Force?

(*b*) How many of them are—

(*i*) Europeans; and

(*ii*) Anglo-Indians?

(*c*) Is the recruitment entirely closed to Indians? If so, why?

The Hon'ble Mr. A. N. MOBERLY: (*a*) Sanctioned strength 215. Present strength 188.

(*b*) (*i*) 85.

(*ii*) 103.

(*c*) Yes. In Calcutta Europeans or Anglo-Indians are needed for certain kinds of police duty, and the men recruited for the purpose are called sergeants.

Sub-Inspectors, Calcutta Police.

81. Maulvi MUHAMMAD SOLAIMAN: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state the number of—

(*i*) Sub-Inspectors; and

(*ii*) Assistant Sub-Inspectors of the Calcutta Police appointed since 1926.

(*b*) How many of them are

(*i*) Hindus; and

(*ii*) Moslems?

The Hon'ble Mr. A. N. MOBERLY: (*a*) and (*b*) A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 81 showing the number of Sub-Inspectors and Assistant Sub-Inspectors appointed to the Calcutta Police from different communities since 1926.

Year.	Rank	Total number of appointment	Appointment by direct recruitment.		Appointment by promotion.	
			Hindu.	Muhammadan.	Hindu.	Muhammadan.
1926 ..	Sub-Inspector	1	Nil	Nil	1	Nil
1927 ..	Sub-Inspector	9*	2	2	2	1
1926 ..	Assistant Sub-Inspector	12	2	Nil	6	4
1927 .	Assistant Sub-Inspector ..	9	Nil	Nil	3	6

*Includes two Anglo-Indians.

Auditing the expenditure of the Calcutta Medical College Hospital.

82. Mr. W. H. THOMPSON: Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that for some years past the Accountant-General, Bengal, audited the expenditure of the Calcutta Medical College Hospital, but not the receipts.

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes.

Outbreak of cholera in epidemic form in most of the districts of Bengal.

83. Mr. A. F. M. ABDUR RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that an outbreak of cholera in epidemic form has become wide-spread in most of the districts of Bengal?

(*b*) If the answer to (*a*) is in the affirmative, what steps, if any, have the Government taken to prevent the spread of the disease?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) It is a fact that there has been a serious outbreak of cholera in a number of the districts of Bengal.

(*b*) Government have been supplying district boards with Assistant Health Officers and other staff under the Public Health Organisation Scheme. Anti-cholera vaccine is being supplied free to local authorities, and steps have been taken to augment largely the supply of this vaccine.

Government are further prepared to send out extra staff to the affected districts as soon as the requirements of those districts are known.

Upper Grade employees in the Board of Revenue.

84. Maulvi MOHAMED SADEQUE: (*a*) Will the Hon'ble Member in charge of the Department of Revenue be pleased to state—

(*i*) how many employees there are at present in the Upper Grade in the Board of Revenue;

(*ii*) how many of them are Muslims;

(*iii*) how many vacancies occurred in each year from 1914 to 1927; and

(*iv*) how many of them were filled up by Muslims?

(*b*) If the answer to (*a*) (*iv*) is nil, will the Hon'ble Member be pleased to state—

(*i*) whether the vacancies were advertised;

(*ii*) how many vacancies were filled up by promotions from 1914 to 1927?

The Hon'ble Maharaja KSHAUNISH CHANDRA Ray Bahadur, of Nadia: (*a*) (*i*) 9.

(*ii*) None.

(*iii*) 1914—1, 1918—2, 1919—1, 1920—3, 1922—1, 1923—1, 1925—1, 1926—1, and 1927—1. Total 12.

(*iv*) None.

(*b*) (*i*) In one case in 1920.

(*ii*) 6.

Main Drainage Board for Calcutta.

85. Mr. SUBHAS CHANDRA BOSE: Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) whether it is a fact that Government intend to legislate for a Main Drainage Board for Calcutta and its neighbourhood;

(*ii*) whether it is a fact that the Calcutta Corporation have so far refused to support the proposal regarding a Main Drainage Board; and

(*iii*) whether it is intended to levy additional drainage rates on the rate-payers of Calcutta in order to undertake the drainage works?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*i*) Government have come to no definite decision.

(*ii*) The Corporation's attitude is not clear. The matter is under correspondence between Government and the Corporation.

(*iii*) Does not arise.

Pollution of the river Hooghly.

86. Babu AMULYA CHANDRA DATTA: (*a*) Will the Hon'ble Minister in charge of the Department of Local Self-Government be

pleased to state what steps, if any, have taken to give effect to the Resolution regarding the pollution of the river Hooghly moved in, and accepted by, the Council on the 9th December, 1925?

(*b*) Have the committee been formed?

(*c*) If so, have they submitted their report on the matter?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to lay on the table a copy of their report?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) and (*b*) A committee was formed.

(*c*) No.

(*d*) Does not arise.

Delay in elections to local bodies owing to civil litigations.

87. Mr. A. F. M. ABDUR RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) names of the municipalities, Local Boards, and District Boards, in which general elections have been held up owing to civil litigation arising out of election disputes; and

(*ii*) the period each such institution has been working in excess of the normal period of its life?

(*b*) Are the Government considering the desirability of taking steps to amend the present law to prevent any unusual delay in the general election owing to deadlocks through civil courts litigations? If so, when?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) (*i*) and (*ii*) The reconstitution of local authorities in Bengal, after a general election has taken place, is often delayed by civil litigation arising out of election disputes, but the precise information required by the member is not readily obtainable.

(*b*) This question is under consideration in connection with the reintroduction of the Bengal Municipal Bill and the amendment of the Local Self-Government Act. It cannot be said at present when proposals for amendment of the law will be laid before the Legislative Council.

State prisoner Srijut Purna Chandra Das.

88. Babu SURENDRA NATH BISWAS: (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state what

is the present condition of health of the State prisoner Srijut Purna Chandra Das?

(*b*) Has he got any ailments?

(*c*) If so, what are they and how long has he been suffering from them?

The Hon'ble Mr. A. N. MOBERLY: (*a*) Good.

(*b*) As far as Government are aware, he has none.

(*c*) Does not arise.

Sub-Deputy Collectors, age-bar to promotion of.

89. Babu AKHIL CHANDRA DATTA: (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether it is a fact that Sub-Deputy Collectors are not generally promoted as Deputy Collectors when the former attain the age of 40?

(*b*) Is the above principle strictly observed now in all cases while recommending Sub-Deputy Collectors for promotion to the higher service?

(*c*) Is the Government Order contained in paragraph 4 of their letter No. 426 A.D., dated 16th January, 1927, to the Secretary to the Subordinate Civil Service Association "that the existing rule that to be eligible for a promotion to a Deputy Collectorship, a Sub-Deputy Collector should not ordinarily be more than forty years of age does not preclude the promotion of officers of higher age in exceptional circumstances, and it is not proposed to make a general relaxation of this rule," still in force or has it been modified?

(*d*) If modified, in what terms has it been modified, and when was it modified?

(*e*) Is there any other service in Bengal (gazetted or non-gazetted) where an officer attaining the age of forty is declared ineligible for promotion to the next higher service?

(*f*) Will the Hon'ble Member be pleased to state the reasons as to why this 40 years age rule has been laid down with reference to Sub-Deputy Collectors?

(*g*) Is it a fact that a Sub-Deputy Collector attaining the age of 40 is found incompetent to do (1) judicial work; (2) settlement work; and (3) circle work?

(*h*) Will the Hon'ble Member be pleased to state how are Sub-Deputy Collectors generally employed after they attain the age of 40?

(*i*) Will the Hon'ble Member be pleased to state the number of age barred officers in the Bengal Junior Civil Service?

(*j*) How many years of service remain to be completed by the last fifteen members of this list before they had completed their service?

(*k*) What is the number of age barred officers between the age of 40 and 45?

(*l*) Is the Hon'ble Member aware that the said forty years of age bar rule is one of the main causes of discontent of the Sub-Deputy Collectors and they have been always urging on Government to remove this rule against them?

The Hon'ble Mr. A. N. MOBERLY: (*a*) Yes.

(*b*) Yes.

(*c*) The rule is still in force.

(*d*) The question does not arise.

(*e*) The same rule governs promotion to the Bengal Junior Civil Service.

(*f*) The member is referred to the reply given to question No. XCIII asked by M. Zannoor Ahmed on the 1st March, 1926.

(*g*) No.

(*h*) At present about 52 per cent. of those over 40 years of age are employed on general, revenue and judicial work in district and subdivisional offices, about 20 per cent. on circle work, and the remainder on settlement, revenue and miscellaneous duties.

(*i*) to (*k*) The information asked for can be obtained from the Civil List, a copy of which has presumably been supplied to the member.

(*l*) Yes. This matter is now receiving the attention of Government.

Admission of Muhammadan students in the Dacca Government Medical School.

90. Mr. SYED Md. ATIQULLAH: (*a*) Is the Hon'ble Minister in charge of the Department of Local Self-Government (Medical) aware that the Superintendent of the Dacca Government Medical School refused last time to admit more than 25 per cent. Muhammadan students on the ground that more could not be admitted under the Medical School management rules?

(*b*) Will the Hon'ble Minister be pleased to state whether there is any bar to admitting more than 25 per cent. Muhammadan students?

(*c*) If the answer to (*b*) is in the negative, are the Government proposing to take any steps in the matter?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (MEDICAL) (the Hon'ble Sir Provash Chunder Mitter): (*a*) Yes.

(*b*) No.

(*c*) The Surgeon-General has already been informed of the correct interpretation of the rules.

Introduction of piece-system in the Bengal Government Press.

91. Maulvi LATAFAT HUSSAIN: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether it is a fact that the piece-system work was introduced into the Bengal Government Press in 1875?

(*b*) Is it a fact that the confidential section and the other sections were at first put on the same basis in respect of earnings?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons why the confidential section received 90 per cent. increment in all (in two instalments respectively, the 50 per cent. increment in 1914 as well as the general 40 per cent. increment in 1920), while the other sections received only the 40 per cent. increment in 1920?

(*d*) Is it a fact that none other than Christians and Anglo-Indians are taken as compositors or line-operators in the confidential section of the Bengal Government Press?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Member be pleased to state the reason therefor?

(*f*) Is it a fact that in 1914 Mr. Gilbert, the then officiating Superintendent, passed an order that Indians should be taken in the confidential section?

(*g*) Is it a fact that Mr. Norton on his return from furlough again re-established the former state of things and created anew the distinction mentioned above?

(*h*) If the answer to (*g*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons therefor?

The Hon'ble Mr. A. MARR: (*a*) The piece-system was introduced into the Bengal Government Press in 1873.

(*b*) No information is available.

(*c*) A special allowance is given to those employed in the confidential section owing to the nature of the work.

(*d*), (*e*), (*f*), (*g*) and (*h*) A reference is invited to the reply given to unstarred question No. 20 asked by Babu Hem Chandra Bhattacharji at the meeting of the 29th August 1921.

Schemes to lease out "khas mahal" lands to the young unemployed men of "bhadralok" class.

92. Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: (*a*) Will the Hon'ble Member in charge of the Department of Revenue be pleased to state whether there was a proposal or scheme sometime ago to lease out some *khas mahal* lands to the young unemployed men of *bhadralok* class to encourage them in agricultural pursuits?

(*b*) If so, what was the exact nature of the scheme?

(*c*) Has any experiment been made in that direction and with what result?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) Schemes were tried in Khulna and Bakarganj. A further scheme is being tried in Faridpur.

(*b*) (*i*) According to the latest scheme, boys of the *bhadralok* class will be selected for training in the Faridpur Agricultural Farm.

(*ii*) After training, they will each receive provisional settlement of 15 bighas of *khas mahal* lands free of rent for 3 years.

(*iii*) Any attempt to let the land in farm or *barga* will involve immediate cancellation of the provisional lease.

(*c*) Previous schemes were failures. The *bhadralok* settlers ceased to cultivate the lands themselves and in many cases sold them.

Strike of the workers in the Jessore Settlement Press.

93. Mr. K. C. RAY CHAUDHURI: (*a*) Will the Hon'ble Member in charge of the Department of Revenue be pleased to state whether it is a fact that last July the workers in the Jessore Settlement Press struck work?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what action, if any, has been taken in the matter?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) Yes.

(*b*) As the demands of the compositors had been granted as far as was considered reasonable before the strike, no further action was taken on outbreak of the strike. After a fortnight, the compositors of their own initiative tendered apologies and returned to work unconditionally. Since then there have been no further complaints.

Certain arrangement for convicts in the Alipore Central Jail.

94. Mr. ABDOOL RAZAK HAJEE ABDOOL SATTAR: (*a*) Is the Hon'ble Member in charge of the Jails Department aware that at night the convicts in each hall at the Alipore Central Jail have to answer the call of nature in a bucket placed in the centre of the hall without privacy?

(*b*) Is the Hon'ble Member aware that in the said Jail there are no front doors in the latrines for Indian convicts, and that there is no privacy while answering the calls of nature?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, what steps, if any, are the Government prepared to take to remedy this state of affairs?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: (*a*) No.

(*b*) There is not a front door to each compartment, but each compartment is separated from its neighbours by corrugated iron partitions, and the occupant is not overlooked unless a deliberate effort to disturb his privacy is made. The whole latrine is adequately screened from outside.

(*c*) Does not arise.

NON-OFFICIAL BUSINESS.

Non-official Members' Bills.

The discussion on the Calcutta University Bill, 1927, was resumed.

Dr. PRAMATHANATH BANERJEA: Before I begin, Sir, may I know what time will be allowed to me?

Mr. PRESIDENT: 30 minutes.

Dr. PRAMATHANATH BANERJEA: The University of Calcutta was established by an act of the Governor-General's Council passed in 1857.

Mr. PRESIDENT: I am sorry to interrupt you, Dr. Banerjea. I think that the two Bills—your Bill and that of Babu Manmatha Nath Roy—are substantially identical and the decision of the House on one will affect the other in the same degree.

Babu MANMATHA NATH ROY: By a study of the two Bills you will find that they are different in principle.

Mr. PRESIDENT: All the same, Mr. Roy, so far as I have seen, the clauses in your Bill are similar to those in Dr. Banerjea's Bill, in this sense that when these are discussed, the clauses referred to in your Bill will be automatically discussed. So it is useless to take up the Bills separately.

Mr. D. N. ROY: Are we to understand that there will be one voting on the two bills?

Mr. PRESIDENT: No.

4-45 P.M.

Dr. PRAMATHANATH BANERJEA: The University of Calcutta was established by an Act of the Governor-General's Council passed in 1857 in accordance with the principles laid down in Sir Charles Wood's famous Despatch of 1854. Similar Acts were passed in the same year for the establishment of Universities in Bombay and Madras. Act II of 1857 vested the government of the Calcutta University in the Chancellor, Vice-Chancellor, and Fellows, who became a body corporate. The Fellows were, originally, all nominated by the Government; but, at later date, the graduates of the University were given the right to elect two Fellows every year. All Fellows held office for life. By the end of the nineteenth century, the number of Fellows had become quite large, and many of them had begun to assert their independence. Considerable progress had, in the meantime, been achieved in the field of higher education in all the provinces. Some high officials were alarmed at the rate of this progress, and the cry was raised for a reconstitution of the Universities. Accordingly, Lord Curzon appointed a Universities Commission which submitted its report in 1902. The recommendations of the majority of this Commission were of a reactionary character, and they gave rise to an outburst of public feeling the like of which had rarely been witnessed before. An admirable Note of Dissent was appended to the report by one of the members, Sir Gooroo Dass Banerjee, a former Vice-Chancellor of the Calcutta University and a Judge of the High Court. In the concluding portion of this Note Sir Gooroo Dass observed that some of the measures of reform advocated by the majority tended to place education under the control of the Government and small bodies of experts and to reduce the popular element. He added: "While yielding to none in my appreciation of the necessity for raising the standard of education and discipline, I have ventured to think that the solution arrived at is only a partial solution, and that we should aim not only at raising the height, but also at broadening the base, of our educational fabric."

The main recommendations of the Commission were embodied in a Bill, which was placed before the Governor-General's Council in 1903.

The discussion which this measure led to occupies an almost unique place in the history of debates in the Indian Legislatures. It evoked tremendous opposition in the Council, which was led by no less a person than Gopal Krishna Gokhale. In the course of one of the numerous speeches which were made by Gokhale on this occasion, he observed: "I believe the life of a people—whether in the political or industrial or intellectual field—is an organic whole, and no striking progress in any particular field is to be looked for unless there be room for the free movement of the energies of the peoples in all fields." This valiant tribune of the people opposed the Bill at every stage and fought every inch of ground until the Bill became law in 1904 with the help of the solid bloc in the Council which was then at the beck and call of the Government.

The fears of the opponents of the measure did not take long to materialise. The progress of higher education was retarded in every province, except Bengal. In this province, the calamity was averted by a fortunate circumstance. Sir Ashutosh Mookerjee, who had been one of the strong critics of the University Bill but had declined to go the whole length with Gokhale in his opposition to the measure, was placed at the head of affairs in the Calcutta University, and from that moment till the day of his passing away he remained its guiding spirit. Chancellors came and went, one Vice-Chancellor succeeded another, but Sir Ashutosh Mookerjee was always there bearing the great burden on his broad shoulders. It was owing to his extraordinary devotion and his administrative genius that the Calcutta University was raised from the position of an examining body to that of a great centre of learning. He had to contend with innumerable difficulties, not the least serious of which were financial. But his ability and resourcefulness steered the none too strong barque of the University clear of all shoals and whirlpools. His sudden death, however, changed the whole situation. Sir Ewart Greaves, who now became Vice-Chancellor, gave of his best to the work of the University. His patient labours, his wonderful urbanity, and his cool courage extorted the admiration of all. But he found that the situation was growing more and more difficult, and on the day of his retirement from office, he frankly told the members of the Senate that the interference of the Government in the affairs of the University was assuming a disquieting aspect.

I will not discuss the events which have taken place since Sir Ewart's departure. But I believe it is now admitted on all hands that a change has become absolutely necessary. In fact, the necessity for an amendment of the existing law relating to the University has been felt for a considerable time past. The Sadler Commission was appointed in 1917 to consider the question. Unfortunately, the recommendations of the Commission were of a very complex character and involved huge additional expenditure, both recurring and non-recurring, which the

Government was unable to incur. Two private Bills were introduced in the first reformed Bengal Council, but both of them proved unsatisfactory, and unacceptable to the general public. A Government Bill was framed in 1923, which failed to enlist support on account of the controversial nature of some of its provisions. The University authorities prepared two Bills, one under the guidance of Sir Ashutosh Mookerjee and Mr. Bhupendra Nath Basu, and the other during the Vice-Chancellorship of Sir Ewart Greaves. But neither of these was acceptable to the Government.

The Bill which I have the honour to place before you to-day is simple in its scope and free from technical details. Its purpose is to remedy the obvious defects of the Universities Act which is now in force. Nobody can deny that the present constitution of the Senate of the Calcutta University is unrepresentative. The existing law provides for 80 per cent. of its members being nominated by the Chancellor. As the Chancellor of the University is also the executive head of the province, the Act gives the Government a preponderant voice in the internal administration of the University. And this, I may remind the House, is in addition to the enormous extent of outside control vested in the Government. The representation of the educated community is hopelessly inadequate, for only 10 per cent. of the total strength of the Senate is elected by the registered graduates. Even this limited right is, on account of the heavy fees payable for registration, available only to a very small section of the alumni of the University. There is no scope for the representation of the general public interested in education. The professors and lecturers of the University and of the Colleges, as well as teachers in schools, also go unrepresented, and the only door of entry open to them is that of nomination.

The existing state of the law can only give rise to one of two conditions in the University. It can create either an autocracy or a cringing subserviency. Benevolent despotism has, no doubt, its redeeming features, and, in favourable circumstances, it may confer considerable benefit on the community. But who can guarantee a succession of benevolent despots? And when benevolence gives place to malevolence, despotism appears in its worst form. The other alternative is even worse. Constant subjection to Government control is demoralising, and inimical to the best interests of a University. Neither of these conditions is favourable to the growth of a spirit of freedom and a breadth of outlook, which are the most essential features of a true centre of culture.

My Bill seeks to provide a constitution for the Calcutta University which is calculated to enable this body to avoid both these conditions. The governing body of the University is the Senate, and no scheme of reform can prove a success unless it is directed towards its reconstruction. I, therefore, propose that the Senate of the future shall consist of a hundred ordinary Fellows, 25 of whom shall be elected by registered

graduates, 15 by the Faculties, 15 by the Professors and lecturers in affiliated Colleges, 10 by the Professors and lecturers of the University, 5 by the teachers in schools, 4 by the non-official members of this Council, and 6 by the Municipalities and district boards of the province, while 20 shall be nominated by the Chancellor. There will, besides, be a number of *ex-officio* Fellows, such as of the Ministers and a few other Government officials, and the Principals of the most important colleges in Calcutta as well as in the interior of the province.

The object of the second important provision of this Bill is an extension of the franchise. Under the existing Act, a graduate is entitled to have his name entered in the Register on payment of an initial fee of ten rupees. Most of our young men find it difficult to pay this amount. I, therefore, propose to reduce the payment to one of two rupees. A graduate who has failed to have his name entered within one year from the date on which he becomes qualified, is now compelled to pay an additional sum of Rs. 10. This amount is also reduced to Rs. 2 in my Bill. Further, every graduate has to make an annual payment of Rs. 10 in order to have his name borne on the register. This provision has the effect of unduly restricting the number of the registered graduates. The adoption of my proposal, namely, the payment of an annual fee of two rupees, will, I am sure, expand the electorate to at least ten times its present size and thus enable the bulk of the alumni of the University to take an intelligent interest in its affairs.

5 P.M.

The amendments which I propose to the existing Act will, I hope, be considered reasonable in view of the precedents which exist elsewhere. Several new Universities have been established in recent years, and most of the older Universities have been remodelled. Without going into details, I may mention that three main features are observable in these constitutions; namely, first, the number of persons appointed by the Government is comparatively small; second, the Professors and lecturers are either *ex-officio* members of the governing bodies or are represented on them in sufficient strength; and third, the general public has a substantial voice in the control of higher education.

Education is an affair of the people. It is for the people to lay down the ideals to be pursued and the methods to be followed in the matter of public instruction. It is, therefore, fit and proper that the Senate of the University should contain a large popular element. Members of the Legislative Council, the Municipalities, and district boards, are not only deeply interested in the educational progress of the country, but are, by reason of their close contact with the various spheres of the people's activity, likely to bring a valuable fund of experience to the work of the University. Educationalists who have made the instruction of the future citizens of India their life's work

ought to be given an assured place in the educational system of the country. Lastly, in order to secure the independent growth of educational activity, it is essential to reduce the influence of the Government to a minimum.

These are the objects kept in view in the Bill before the House. It consists of only few short sections. The details can easily be threshed out in the Select Committee, where the members will, I am sure, take steps to remove any defects that may be found to exist in the Bill. Although it is a small measure, the consequences of its enactment are likely to be far-reaching.

If the Bill is passed, the whole educational atmosphere will be changed, and healthy conditions will prevail in the province. Therefore, in the interests of educational efficiency and for the general well-being of the community, I appeal to the members of this House to give their most serious consideration to the Bill, and thus help to rescue our *Alma-Mater* from her present perilous position, so that she may find freedom and strength to rear her children in a way that will enable them to render some real service to this ancient land.

(At this stage the Hon'ble the President left the Chamber and the Deputuy President took the Chair.)

Mr. DEPUTY PRESIDENT: I shall now ask the Hon'ble Nawab Musharruf Hosain to move his amendment and then the procedure I want to adopt is that there will be a general discussion. If the Hon'ble Nawab's motion be carried then there will be no necessity of putting the other motions.

Babu MANMATHA NATH ROY: Before the President left the Chair he mentioned that Dr. Banerjea's Bill and my Bill would be taken together. So, it follows that I may bring forward my motion.

Mr. DEPUTY PRESIDENT: According to my procedure you need not move your motion, but you will be allowed to speak on your Bill. After the Hon'ble Nawab has moved his motion I will allow other members to speak. Your motion is identical to Dr. Banerjea's motion. Your motion therefore will be deemed to be withdrawn.

Rai HARENDRANATH CHAUDHURI: Are we to understand that because Mr. Roy's motion is identical to the other one, his motion shall be deemed to be withdrawn? May I submit that the Hon'ble President's ruling was that both the Bills will meet the same fate, but he did not say that Mr. Roy will be debarred from moving his motion.

Mr. DEPUTY PRESIDENT: As they are identical motions one will be taken, but you will have your say.

Babu MANMATHA NATH ROY: I think the President was definite when he said that both the Bills will meet the same fate. Therefore I fail to understand how my motion will be deemed to be withdrawn.

Mr. DEPUTY PRESIDENT: What he meant was that whether the Bill will be sent to the Select Committee or circulated for opinion, will depend on the fate of the Hon'ble Nawab's motion.

Dr. PRAMATHANATH BANERJEA: If the Hon'ble Nawab's motion be carried, will both the Bills be circulated for opinion?

Mr. DEPUTY PRESIDENT: Yes, both the Bills

Mr. A. K. FAZL-UL HUQ: Unless Babu Manmatha Nath Roy is allowed to introduce his Bill, how can it be circulated for opinion. Apparently as I understand the rule this Bill should be introduced and discussion allowed on both, but the result will depend on the vote on the Hon'ble Nawab's motion.

Mr. DEPUTY PRESIDENT: As far as this point is concerned, I think that as Mr. Roy's Bill is identical to the other one it will be circulated even without its being introduced.

Babu JITENDRALAL BANNERJEE: Will you kindly permit me to submit, with great respect to you, Sir, that there has been a certain amount of inconsistency in your ruling. You first of all say that Babu Manmatha Nath Roy's motion must be considered to be withdrawn and then you say that his Bill will be circulated. If his motion is considered to be withdrawn, his Bill cannot certainly be circulated. May I submit, what the President meant was that this Bill would be introduced, after Dr. Banerjea's Bill had been introduced. What I understood you to mean was that Mr. Roy's Bill must be deemed to have been withdrawn, but it cannot be so. I hope, therefore, you will correct your ruling and ask Babu Manmatha Nath Roy to introduce his Bill. When it has been introduced, the Hon'ble Nawab will bring forward his motion, and the discussion will then proceed. I think that that is the only rational way in which it can be done.

Mr. DEPUTY PRESIDENT: What I meant was that Mr. Roy would be allowed to move his motion after the Hon'ble Nawab had brought forward his amendment. I shall now call upon the Hon'ble Nawab to move his amendment.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I rise to move as an amendment to the motion of Dr. Pramathanath Banerjea that the Calcutta University Bill, 1927, be circulated for the purpose of eliciting opinion thereon.

The reform of Calcutta University is not a subject to be undertaken lightly. It is one of the greatest administrative problems which faces this Government. It was a problem of urgency ten years ago when the Calcutta University Commission was sitting. That Commission produced its report two years later. For various reasons, partly financial and partly political, only that part of the report which dealt with the proposed Dacca University has been carried into effect.

The Bill now before us practically ignores the recommendations of that Commission. There is nothing sacrosanct about the recommendations of that Commission, though I may remind the mover and those who think with him that Sir Asutosh Mookerjee was a member of the Commission and signed the report. But when an attempt is made to reform the University, which practically makes no use or very little use of that report, it is necessary to examine very carefully the proposals put forward and test them in the light of the recommendations of that report.

The Sadler Commission made the definite statement that the existing system of government of Calcutta University is ill-adapted even to the purpose of an affiliating University. "Its supreme governing body, the Senate," said the Commission, "is not large enough to be representative of all the interests that should find expression in a great provincial University. On the other hand it cannot be made an expert body capable of dealing with all the aspects of the teaching work of an University."

The Commission added that the executive body of the University, the Syndicate, is loaded by so great a mass and variety of functions at once academic and administrative, that it is swamped. No small body could possibly be so constituted as to be capable of dealing with all these widely different duties.

Dr. P. N. Banerjea's Bill aims at reducing the power of the Chancellor in connexion with the constitution of the Senate and places the University on what he considers to be a sound representative basis. If his proposals were calculated to give us a better governing body than that which now controls the University, there would be nothing to object to in this fact, but to my mind a very great defect in the proposed Bill is the fact that it leaves all the defects pointed out by the Commission entirely unremedied. If his Bill passes into law the Syndicate will be just as much overwhelmed as it was when the Commission reported.

The proposed controlling authority also will leave unrepresented a number of people who have a right to have a say in University matters in Bengal.

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For instance there is nothing in his Bill which makes special provision for the representation of women educationists, although the University has under its control three women's colleges and 18 high schools for girls. At first sight also I am of opinion that the Bill will leave the Moslem community represented by far fewer members on the Senate than obtain a place under the present system.

There is also in my opinion a certain limit to the extent to which the principle of popular representation in University matters can safely be adopted. I do not consider it altogether fair to expect a renowned professor to stand for election to the Senate in competition with young men who have yet to win their spurs and may conceivably be his subordinates. Such men and especially the holders of important University Chairs should be on the Senate as far as possible as of right.

At all events it is clear that there is a case for obtaining a wider opinion than that which this House is competent to give. The learned bodies of Bengal, the great commercial associations, and the affiliated colleges and different communities should be given a chance to express their views before this House proceeds to legislate.

Finally we and those who assist us by commenting on the Bill will have to ask whether it is worth while occupying the time of this House with a Bill which leaves practically untouched all those fundamental defects from which the University has been suffering now for many years and which were pointed out by the Sadler Commission. If it had been suggested that the result of the proposed reconstitution of the Senate would remove those difficulties we might have been able to proceed with less caution. Since however it practically continues the old machinery with some modification in the persons who have to work that machinery, the Bill can scarcely be claimed to be a Bill for the reform of the University. It will still be equally unfitted and possibly more unfitted than before for the conduct of the multifarious duties which fall upon it and which the Sadler Commission definitely stated were too much for it. There is at all events a very clear case for sounding public opinion on the proposal, and I therefore move the amendment which stands in my name.

Babu MANMATHA NATH ROY: Might I point out at this stage that it will be convenient if the two Bills are discussed together?

Mr. DEPUTY PRESIDENT: I agree with you, but the difficulty that stands in our way is that the order of ballot will have to be changed. There are other motions before yours.

Babu MANMATHA NATH ROY: At the beginning the President was pleased to say that the two Bills dealt with the same question. I submit that the two Bills are not identical, although they deal with the same question. There are certain points of detail in which there is

considerable difference between the two Bills, and I submit the most convenient and rational procedure would be to deal with the two motions together.

Mr. DEPUTY PRESIDENT: I have thought over that and I am sorry I cannot change the order of ballot.

[At 5-20 P.M. the Council was adjourned and it reassembled at 5-35 P.M.]

Maulvi ABUL KASEM: Sir, the Calcutta University Act has a history behind it and the working of the Act has shown that it has not worked satisfactorily. The University should be reconstructed and reconstituted. Sir, I, with all my good wishes, am sorry that I am unable to support my friend Dr. Pramathanath Banerjea, not because I do not approve of his Bill, but because I think this patchwork is absolutely useless. There should be a Bill to reconstitute the whole University and the whole thing should be sifted. Sir, it is my misfortune to have to go outside Bengal very often, and it has been a matter of shame to me that on many occasions I have found educated young Bengali boys unable to compete with young men of the same class from Punjab, Madras and Bombay. I have felt and felt with considerable shame that our boys do not acquit themselves creditably in comparison with boys from other provinces. I say that intelligence is on our side: our boys are very good, but it is the defect in the University system of education which makes the Bengali boys inferior to boys of other provinces. I think it is a serious matter, and I regret that Government has not as yet thought fit to draft and introduce a comprehensive Bill for the reconstitution of the University, and as the Government has failed to do so, I hope my friend, Dr. Banerjea, will come forward with a more elaborate and comprehensive Bill before the House. I support the amendment of the Hon'ble Minister for Education that the Bill be circulated for eliciting public opinoin. I certainly think that the opinion of the Calcutta University and other public bodies should be ascertained before we come to a decision. But, Sir, I take exception to a remark made by the Hon'ble Minister for Education, if I have heard him aright. He said that he wanted the opinion of people who were more competent in this respect than the members of the Legislative Council. I take exception to that. I say that we, the members of the Legislative Council here, are sufficiently competent to decide upon legislative measures. Before, however, we come to any decision, we have certainly to consider the opinion of experts and of people who know about these educational matters. Therefore, Sir, I support the motion that the Bill be circulated for eliciting public opinion, but at the same time I wish it to be clearly understood that I do not mean that it should be sent to all public associatoins and public organisations, but only to the Calcutta University and to the

Principals of Colleges for their opinion on the Bill. I do not think that this motion is intended to shelve the Bill, but simply to elicit expert opinion on the provisions of the Bill, and I hope, Sir, the Legislative Department will take necessary steps to have these opinions ready and circulated before we meet again at the next session.

Mr. J. H. LINDSAY: Sir, it is obviously necessary in connection with a Bill like this that we should get the opinion of the Calcutta University. That, I think, all will agree, is absolutely essential.

5-45 P.M.

It is also necessary to get the opinion of certain well-know experts in educational matters, and certain associations, not all associations, will certainly have to be consulted, for instance, the Teachers' Association, and I see no other way of obtaining this volume of public opinion, except by circulation. I may say I agree with Maulvi Abul Kasem that there should be no shelving of the Bill. I may suggest, if I have the right, that the amendment should read as follows: "That the Calcutta University Bill, 1927, be circulated for the purpose of eliciting opinion thereon by the 15th February, 1928," giving a definite date whereby we shall get the opinions on the Bill. That, I think, will give time for Dr. Banerjea to move this House again to refer the Bill to a Select Committee after we have got public opinion thereon

Babu JITENDRA LAL BANNERJEE: One gets sick to death over this perpetual talk of experts Whenever any measure of reform is sought to be delayed, the bogey of experts is always raised for the purpose of retarding it. Maulvi Abul Kasem says that he cannot support the Bill, because it is not a comprehensive measure; but if we are to wait for a comprehensive measure of Universtiy reform we shall have to wait till eternity. The Hon'ble Nawab Musharruf Hosain has told us that the Bill cannot be supported at this stage because it did not give effect to all the recommendations of the Sadler Commission. The recommendations of the Sadler Commission, if they are to be given effect to, will require an annual outlay of 68 lakhs of rupees. Will the Government of Bengal provide us with 68 lakhs now, in the near future, or even 20 years hence? They will not. So it is useless talking about the Sadler Commission's recommendations; and to wait for any measure of University reform till the Sadler Commission's recommendations are given effect to, will amount to an indefinite postponement of University reform altogether. In the meantime, there is a crying necessity for reform in regard to the constitution of the Calcutta University. It has been said that public opinion is required to be consulted on this point. Certainly public opinion is necessary: but I submit for your consideration and the consideration of this House that public opinion has already been consulted,

not formally perhaps, and yet none the less effectively for all that. For 12 years and more this question of University reform has been before the public, and for the last half a dozen years at least the whole educated public of Bengal all those who take any interest in the University question—have made up their minds on the matter. They think that a Bill like the present one is urgently needed for the reconstitution of the Senate. There is one special reason why this reconstitution is particularly wanted *viz.*, for the purpose of freeing the University from the hampering control of the Government. It is a cardinal and essential feature of University reform that the University should be freed from all extraneous and outside influences: and it is this one feature of the present Bill which commends itself specially for our acceptance. At present the Calcutta University consists, as has been pointed out to-day it cannot be repeated too often—of 80 per cent. of nominated members and 10 per cent. of elected members. Where are the people in such a scheme of University management? What voice do they have in controlling the affairs of a progressive Senate like that of the Calcutta University? And is it not time that this scandalous defect should be remedied?

There is another point which requires consideration, and that too has been adequately provided for in Dr. Banerjea's Bill. I mean the extension of the electorate by reducing the franchise and broadening the basis of election. At present, in order to qualify to be a voter of the University, everybody has got to pay a premium or fine of Rs. 10 a year. Dr. Banerjea says that the amount is too much. I would go further and say that this fine is altogether wrong in principle. The qualification for University franchise ought to be that a man has attained to a certain standard of education and not that he is able to pay a certain amount by way of fine. If, however, the fine has got to be maintained at all, it must be reduced to a minimum beyond which we cannot go. Both these measures of reform are excellent in their way, and both are urgently needed. I cannot understand the motion which the Hon'ble Minister has brought forward It is a dilatory motion, and I suspect the only object of the motion is to shelve University reform indefinitely. If that is the Hon'ble Minister's first public step in the discharge of his responsible duties, I cannot say he has made an auspicious beginning. Indeed, a more inauspicious beginning I could not conceive of, and even now I would advise the Hon'ble Minister to withdraw his motion of amendment and give his wholehearted support to the measure that has been brought forward by Dr. Banerjea.

Mr. DEPUTY PRESIDENT: Mr. Lindsay has sent in an amendment adding the words "by the 15th of February, 1928."

Rai HARENDRANATH CHAUDHURI: It cannot be done now, and the motion of the Hon'ble Nawab Musharruf Hosain itself is out

of order, because under section 52 of the Bengal Legislative Council Rules and Standing Orders any motion for circulation must mention a date. The Nawab's motion does not mention a date; therefore his motion is irregular.

Mr. DEPUTY PRESIDENT: We are taking the motion of Mr. Lindsay now.

Rai HARENDRANATH CHAUDHURI: If the original motion be irregular, no amendment can be moved to that. I invite your attention to section 52 (2) (*a*), which says: "At this stage no amendments to the Bill may be moved, but if the Member in charge moves that the Bill be taken into consideration any member may move as an amendment that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting opinion thereon before a date to be mentioned in the motion," and then sub-section (3) will show how important the date is. It says "Where a motion that the Bill be circulated for the purpose of eliciting opinion is carried in the Council and the Bill is circulated in accordance with that direction and opinions have been received thereon before the date mentioned in the motion, etc." You will now see the importance of the date, and when the motion does not mention the date I submit it is irregular.

Mr. DEPUTY PRESIDENT: What about section 51? No date is required.

Rai HARENDRANATH CHAUDHURI: Under section 51 a motion for circulation can only be made by the Member in charge of the Bill.

Mr. DEPUTY PRESIDENT: Will you kindly read section 51?

Rai HARENDRANATH CHAUDHURI: Section 51 refers only to the Member in charge, but in this case the motion comes not from the Member in charge; therefore section 51 cannot come in. You have no doubt the discretion to allow an amendment to be moved on the floor of the House, but you have no discretion to allow an amendment—I mean the Nawab's amendment which did not mention a date.

Dr. BIDHAN CHANDRA ROY: I submit that as the President you have discretion to allow an amendment to be moved on the floor of the House, but my objection is against the original motion of the Minister of Education. His motion is irregular in view of section 52. The difference between section 51 and section 52 is this: Section 51 contemplates a dilatory motion when made by the Member in charge of the Bill, whereas section 52 points out that a dilatory motion can be moved by a person other than the mover of the Bill, and since

this is being done in the present instance by the Minister for Education, it complies with section 52, which also says that the motion must mention a date. It is peremptory and mandatory. Therefore I submit the Nawab's amendment is irregular.

Maulvi ABUL KASEM: With reference to the point that has been raised, I submit that when a member in charge of a Bill introduces a Bill and after it has been introduced, there may be amendments moved to any motion that he may bring forward. I understand that the motion of the Minister of Education is an amendment to the motion of the member in charge that the Bill be referred to a Select Committee, and that amendment is that instead of being referred to a Select Committee the Bill be circulated for eliciting public opinion thereon; and in that light I hold that the Nawab's amendment holds good under section 51.

Mr. DEPUTY PRESIDENT: I allow Mr. Lindsay's motion—I have the discretion and I use it—as it mentions a date—by the 15th February, 1928. No further discussion is necessary.

Dr. BIDHAN CHANDRA ROY: I again very respectfully put it to you that there is some misunderstanding with regard to sections 51 and 52. Section 51 gives power to the member in charge of a Bill to move (*a*), (*b*) or (*c*). If he has done (*a*), section 52 provides that any other gentleman, in this case the Hon'ble Nawab Sahib, can move an amendment that the Bill be circulated for public opinion, and in that amendment he must mention a date. Section 52 (2) (*a*) says that this amendment must mention a date and in so far as the amendment of the Nawab Sahib does not mention a date, that amendment is not regular, and as that amendment is not regular, any amendment which is an amendment to that amendment cannot be accepted even by the Chair.

Mr. DEPUTY PRESIDENT: Mr. Lindsay's motion is an amendment to the original motion and I have allowed it. So the motion stands moved, whatever be the opinion in regard to the Nawab's motion. I have allowed Mr. Lindsay's motion, which fixes a date—by the 15th of February, 1928. We will discuss that motion now.

Babu JITENDRALAL BANNERJEE: Do we understand, Sir, that the Hon'ble Nawab's motion falls through?

6 P.M.

Mr. D. N. ROY: May I have your ruling, Sir, whether the Hon'ble Nawab's amendment goes out or not?

Mr. DEPUTY PRESIDENT: Hon'ble members have been quoting section 52 (2) (*a*), which deals with the point when there is a motion

that the Bill be taken into consideration. As I read the rules, section 52 (2) (*a*) has no application in the present case, where the member in charge of the Bill is moving for a reference of his Bill to a Select Committee. Please see rule 52 (2) (*b*). Under rule 52 (2) (*b*) if the member in charge of a Bill moves that the Bill be referred to a Select Committee—which is the present position—any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion thereon, and there is no date mentioned. Under rule 52 (2) (*a*), where a motion that a Bill be circulated is carried in Council, a date is to be mentioned. So, I hold that the Hon'ble Nawab's motion is quite in order.

Babu BEJOY KRISHNA BOSE: May I know whether your ruling is that Mr. Lindsay's amendment is to Dr. Banerjea's motion or to the Hon'ble Nawab's motion?

Mr. DEPUTY PRESIDENT: It is not a case of an amendment to an amendment. The Hon'ble Nawab's motion is an amendment to the original motion of Dr. Banerjea and so is Mr. Lindsay's. I shall take into consideration the motions that are now before the Council.

Rai HARENDRANATH CHAUDHURI: May I rise to a point of order? The point is that it has never been the practice of this House to allow a dilatory motion at this stage.

Mr. DEPUTY PRESIDENT: I am allowed a discretion in this matter and in the exercise of that discretion I admit the motion at short notice.

Mr. F. E. JAMES: As to whether the rules themselves are self-contradictory or whether the particular motion which was put down by the Hon'ble Minister was unfortunately worded, there is, I take it, only one desire on the part of the members of this House, *viz.*, that some definite progress should be made in the direction of University reform. Dr. Banerjea's Bill does not attempt to do more than revise the constitution of the Senate of the Calcutta University so as to make it a better instrument for the administration of a modern University. The difficulty I think with which the Government is faced is that it is impossible at one and the same time to refer the Bill to a Select Committee and to circulate it to elucidate opinion on it. In order, therefore, that in the first place the Bill might be circulated to the University and other educational associations for their opinions and at the same time that no appreciable delay might take place in pushing forward with University reforms the suggested amendment of Mr. Lindsay that it be circulated for opinions to be received by the 15th of February appears to me to meet the two points which we are both trying to attain. I should have supported the

original proposal to send the Bill to a Select Committee, had I not the assurance that by this revised amendment we could secure the opinions of the necessary bodies and at the same time in the next session of the Council move that it be referred to a Select Committee. What I feared was that as the original motion stood, it was a dilatory motion, but I have been assured by the Hon'ble Minister that that was not the case and his personal assurance is supported by the suggested alterations moved by Mr. Lindsay and accepted by the President, that it should be circulated for opinions to be received by the 15th of February.

I would suggest, therefore, that the House might agree to the revised amendment on the distinct and clear understanding that opportunity will be given at the next meeting of the Council in February for the Bill to be referred to a Select Committee.

Babu MANMATHA NATH ROY: Sir, there is absolutely no justification for the dilatory motion that has been brought forward by the Hon'ble Minister. The matter has been before the public for a long time. The Sadler Commission, which came into existence for the benefit of the Calcutta University, made its recommendations long ago. Since then, the question of reconstitution of the Senate has been before the public, and opinions have been expressed off and on by the public and in the press. Within the last six years attempts were made in different legislatures to reconstitute the University on a democratic basis. In 1921, a motion was carried in the Council of State, that the Council recommends to the Governor-General in Council that early steps be taken to put the Universities of India on a democratic basis. In the same year, in this Council also, a resolution was carried on the motion of Mr. Jatindra Nath Bose, then a member of this Council, that steps be taken to put the constitution of the Calcutta University on a democratic basis. The then Hon'ble Minister, Sir Provash Chunder Mitter, assured the Council that steps would be taken to modify the constitution of the Calcutta University on the lines suggested in the resolution. Six years have rolled by since then, but nothing has been done. The late Minister, Sir Provash Chunder Mitter, was in office for two more years, but no action seems to have been taken, and no progress was made. Most of the Universities in India have reconstituted the Senate on a democratic basis, depending largely on the recommendations of the Sadler Commission; but nothing has been done for the Calcutta University for which the Commission was brought into existence. Why then this apprehension on the part of the Council, even after the constitution of other Indian Universities has been altered on the principles embodied in this Bill? The public bodies and the experts have expressed their opinion on the recommendations of the Commission. The Calcutta University expressed its opinion long ago. That opinion may have to be modified now here and there.

The Select Committee may ascertain the opinions of these bodies. It seems to me, Sir, that the circulation of the Bill for the purpose of eliciting public opinion may result in a shelving of the matter. Maulvi A. Kasem and Mr. Lindsay have referred to what is said to be a comprehensive scheme for the reconstitution of the Calcutta University, but we have not been told what that comprehensive scheme is. We have not been told in what other details it is wanted to alter the Universities Act. There are reasonable grounds for apprehension that the matter may be shelved. I would, therefore, appeal to you not to accede to the dilatory motion.

Maulvi TAMIZUDDIN KHAN: Sir, I have heard the learned discourses of Dr. Banerjea and the other hon'ble members against the motion for the circulation of the Bill brought by the Hon'ble Minister, and I confess I am not yet convinced. It has been said by Dr. Banerjea himself, and also it must be admitted by everybody in this House, that the Bill is a very important one; it will be rather an epoch-making measure in the whole life of the Calcutta University. That is all the more reason why we should proceed cautiously. The motion of the Hon'ble Minister is nothing but a motion of action. We shall not lose anything if we proceed cautiously. Babu Manmathanath Roy says—Why is there any apprehension on the part of this House to refer the Bill to a Select Committee just at the present moment? I would ask, Sir, why is there any apprehension on the part of those gentlemen who are in a hurry to place this Bill before a Select Committee. If we compare these two apprehensions it must be admitted that the latter apprehension is more unreasonable. We shall not lose anything by referring the Bill to a Select Committee and there is no fear of the Bill being shelved at all. I beg your pardon, Sir, we shall not lose anything if it is circulated for eliciting public opinion. It is not a dilatory motion, because it has been made clear that public opinion will be elicited before the 15th of February next. If we could have waited for 12 or 6 years, is there any particular reason why we should not wait for two more months?

With these few words I beg to support the motion of the Hon'ble Minister.

Mr. M. ASHRAF ALI KHAN CHAUDHURI: I cannot understand why my friends opposite are so much afraid of this amendment. If they have waited so long can they not wait for 60 days more? What will happen? Why they are afraid I cannot understand. Dr. Banerjea wants, if I have heard him correctly, the public bodies to send their representatives to the University. He likes that the district boards and municipalities should send some representatives; and surely if they are to send some representatives they must have some say in the matter. Therefore that is a reason why this Bill should be circulated to the district boards and municipalities also.

Dr. BIDHAN CHANDRA ROY: There is just one point which I would like to mention. I do agree with Mr. Lindsay that if there are points in this Bill which require consideration by the members of the Senate, the University ought to be consulted on those points. So far as we on this side of the House are concerned, we feel that the principles or the main proposition laid down by Dr. Banerjea have been considered times without number by the University and also by various public bodies; but my suggestion is this—

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The Committee which Dr. Banerjea has suggested consists of members of different communities and also members holding different opinions in this House. If you let the Bill as it now stands go to the different public bodies, various issues will be raised and criticisms made, which will not be relevant to the points raised by Dr. Banerjea in his Bill. Therefore, I would suggest this: Let the Select Committee be allowed to do its work; and if it is found that amongst the members of the Committee there is a unanimity of opinion with regard to the principles of the Bill, the questions will be decided there and then. If it is found, however, that the Select Committee cannot come to any decision, that there are vital differences of opinion with regard to the principles laid down in the Bill, then certain definite issues can be framed as (1), (2), (3) and so on, and at that stage it would probably be desirable to send those issues to various public bodies and obtain their opinion thereon. As it is, the question of reforming the University is a huge one. Some members, as also the Hon'ble Minister, have referred to the report of the University Commission. Sir, I am one of those who have had to give evidence before the Commission as well as to read the report many times. There are many matters in the report of the Commission which are not included in the Bill which has been presented to us by Dr. Banerjea. He has only raised certain specific issues and, in order to decide those issues, he has proposed a Select Committee consisting of Nawab Musharruf Hosain, the Minister in charge of Education; Sir Provash Chunder Mitter, who was Minister for Education for 3 years; Mr. Lindsay, who is an expert in this department; Mr. Oaten, the Director of Public Instruction, who directs the policy of the Education Department; Sir Deva Prosad Sarbadhikari, who was twice Vice-Chancellor of the Calcutta University; Mr. S. C. Bose, who represents the University on the Legislative Council; Sir Abd-ur-Rahim, who not only represents a particular section of the Council but was also in charge of Education for a certain period; Rai Harendranath Chaudhuri, than whom probably there is no other member so thoroughly conversant with rules and regulations; Babu Jitendralal Bannerjee, who has been a teacher all his life and who knows the defects of the present system; Mr. Wordsworth, who has been a free and frank critic of the University, both

inside this Council as well as outside it; Babu Bejoy Krishna Bose, who has a great reputation as a debater as well as a criminal lawyer and who will be able to cross-examine witnesses who will come before the Committee from his expert point of view; Babu Manmatha Nath Roy, who has been on the Syndicate for many years and who knows the defects of the present system much more than anybody else; Babu Akhil Chandra Datta, one of the veterans of this Council; Kazi Emdadul Hoque, who is well known as a modest person with a fair mentality as regards communal matters; and Dr. Banerjea himself, who is also a Professor of the University and a member of the Syndicate. If it is so desired, this Committee can be enlarged by adding to it members representing other sections of this House. If this Committee can come to certain definite issues with regard to the propositions put forward by Dr. Banerjea, well and good. If they cannot come to any decision, and if there be wide divergence of opinion, then it will be open to any member to press for the circulation of the Bill at that stage. Therefore, my submission is that if you want to go on with the Bill, if you want to reform the University even with regard to one aspect of its administration, then let not this question be shelved in this fashion. Let clear issues be framed and it will be time afterwards to consider whether the principles laid down in the Bill should be circulated for eliciting public opinion. I, therefore, support Dr. Banerjea's motion.

Maulvi KADER BAKSH: Sir, I have heard the arguments both in favour of Dr. Banerjea's motion and also those in favour of the amendment of the Hon'ble Minister in charge. I have also heard the arguments of Dr. Roy and I think Dr. Roy, as a doctor, while he holds that the system of the administration of the University is rotten, should have gone to the root-cause of the disease and not tried to treat a portion or rather a limb of the University. Would it not be better if the whole thing is taken into consideration, and I think it would not matter much if we are allowed only two months to get public opinion on the Bill? Again, Sir, the parents and the guardians of the students living in the interior have not been able to see what the Bill is I think it will be better if we can wait two months more and get the opinions of all persons interested in the matter.

With these words I support the amendment of the Hon'ble Minister.

Mr. S. C. BOSE: On a point of information, Sir. Will the Hon'ble Minister for Education enlighten this House as to whether the Government accept the recommendations in the Report of the Sadler Commission?

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: It is impossible for me to say that.

Mr. S. C. BOSE: I should have thought that when this point was before the House and when the Hon'ble Minister referred to the comprehensive nature of the recommendations in the Sadler Commission's Report—I should have thought that the Hon'ble Minister for Education should have been prepared to-day to answer that question as to whether Government accept the recommendations in the Report of the Sadler Commission.

Maulvi SYED MAQBUL HUSAIN: Sir, the object of Dr. Banerjea's Bill is to reconstitute the Calcutta University so as to put it on a democratic basis. Now in order to fulfil that object I think this Bill should be referred to public bodies, which are representative of the rural areas. In order to have the University properly reconstructed on a democratic basis, I think the views of democratic institutions, like those of district boards and municipalities, should be obtained. As Mr. Lindsay has said that time would be given up to the 15th February, I think it is not too much; and it is necessary when such an important matter is going to be considered in the Legislative Council that the public opinion, especially of the people of the rural areas whose representatives are the district boards and municipalities, should be obtained. So I support the motion of the Hon'ble Minister that this Bill be circulated for eliciting public opinion.

Mr. DEPUTY PRESIDENT: I shall take a vote on the amendment made by Mr. Lindsay. If it is carried the other amendments will necessarily fall through.

The motion that the Calcutta University Bill, 1927, by Dr. Pramathanath Banerjea, be circulated for the purpose of eliciting opinion thereon by the 15th February, 1928, was then put and a division taken with the following result: —

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ahamad, Maulvi Kasiruddin.
Ali, Maulvi Syed Nausher.
Atiqullah, Mr. Syed Md.
Baksh, Maulvi Kader.
Cassells, Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, C. I. E., of Dhanbari.
Choudhury, Maulvi Golam Mawla.
Choudhury, Maulvi Khorshed Alam.
Cohen, Mr. D. J.
Dey, Mr. G. C.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Ghose, Mr. M. C.
Ghuznavi, Hadji Mr. A. K. Abu Ahmed Khan.
Goenka, Rai Bahadur Badridas.
Gofran, Maulvi Abdul.
Guha, Mr. P. N.
Habibullah, Nawab Khwaja.
Haque, Khan Bahadur Maulvi Azizul.
Hosain, the Hon'ble Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Hussain, Maulvi Latafat.
James, Mr. F. E., O.B.E.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan Chaudhuri, Mr. M. Ashraf Ali.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A., C.I.E.

Martin, Mr. O. M.
Mitter, the Hon'ble Sir Provash Chunder, Kt., C.I.E.
Moberly, the Hon'ble Mr. A. N., C.I.E.
Nazimuddin, Mr. Khwaja, C.I.E.
Oaten, Mr. E. F.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahim, Sir Abd-ur-, K.C.S.I.
Rahman, Maulvi Shamsur-.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-.
Rauf, Maulvi Syed Abdur.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Reid, Mr. R. N.
Roy, Mr. Bijay Prasad Singh.
Sachse, Mr. F. A.
Sadeque, Maulvi Mohamed.
Sarker, Rai Sahib Rohati Mohan.
Sattar, Mr. Abdeel Razak Najee Abdeel.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Suhrawardy, Mr. H. S.
Tate, Major-General Godfrey, M.B., V.H.S., I.M.S.
Travers, Mr. W. L., C.I.E., O.B.E.
Wordsworth, Mr. W. C.

NOES.

Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Pramotha Nath.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Bose, Mr. Subhas Chandra.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Himatsingka, Babu Prabhu Dayal.
Hoque, Kazi Emdadul.
Khan, Babu Debendra Lal.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Hem Chandra.
Ray, Babu Radha Gobinda.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N., Bar.-at-Law.
Roy, Mr. Kiran Sankar.
Sarker, Babu Nalinranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

The Ayes being 60 and the Noes 36, the motion was carried.

The following motions were not put as they were covered by the foregoing decision of the Council:

Dr. Pramathanath Banerjea to move that the said Bill be referred to a Select Committee consisting of the Hon'ble Nawab Musharruf Hosain, Khan Bahadur, Hon'ble Sir Provash Chunder Mitter, Kt., C.I.E., Mr. J. H. Lindsay, Mr. E. F. Oaten, Dr. Sir Deva Prosad Sarbadhikari, Kt., C.I.E., C.B.E., Mr. S. C. Bose, Dr. Bidhan Chandra Roy, Sir Abd-ur-Rahim, K.C.S.I., Rai Harendranath Chaudhuri, Babu Jitendralal Bannerjee, Mr. W. C. Wordsworth, Babu Bejoy Krishna Bose, Babu Manmatha Nath Roy, Babu Akhil Chandra Datta, Kazi Emdadul Hoque and the mover, with instructions to submit their report on or before the 31st January, 1928, and that the number of members whose presence shall be necessary to constitute a quorum shall be seven.

The Hon'ble Nawab Musharruf Hosain, Khan Bahadur to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon.

The Bengal Medical (Amendment) Bill, 1927.

6-30 P.M.

Mr. DEPUTY PRESIDENT: As the Bengal Medical (Amendment) Bill, 1927, requires the sanction of the Government of India, and as

that sanction has not yet been obtained, the motions standing in the name of Dr. Kumud Sankar Ray cannot be moved. I therefore take up the Bengal Village Self-Government (Amendment) Bill, 1921, by Rai Harendranath Chaudhuri.

(Rai Harendranath Chaudhuri was not in his seat and some of his friends went out of the Chamber to call him.)

Maulvi TAMIZUDDIN KHAN: May I know if it is for the President to wait for the hon'ble member to come in and move his motion?

Mr. DEPUTY PRESIDENT: I have given him two minutes to see if he comes up to move his motion. He was probably under the impression that Dr. Kumud Sankar Ray's motions were coming up.

The Bengal Village Self-Government (Amendment) Bill, 1927.

Rai HARENDRANATH CHAUDHURI: I beg to move for leave to introduce a Bill to amend the Bengal Village Self-Government Act, 1919.

I will simply read the Statement of Objects and Reasons. One of the primary functions of union boards is to provide for the maintenance of the village watch. They have to raise by taxation adequate funds for it and to pay regularly the salaries and the cost of equipment of the village chaukidars. It is therefore only proper that they should have full control over the daftadars and chaukidars. It is also expedient and necessary in the interest of the efficiency of the village police that they should be under as little dual control as possible. Well-informed persons are aware that the legal provisions regarding the control of the village watch have been changed from time to time and have more than once been the subject of separate amendments. No apology is therefore required for such a short amending Bill. Further, it is widely felt that the union boards, if they are to be real institutions of local self-government, should have full control over their purse; at any rate the village authorities should have no less power than they enjoyed under the old Act of 1870.

The motion was put and agreed to.

The Secretary then read the short title of the Bill.

The Calcutta Municipal (Amendment) Bill, 1927.

Rai HARENDRANATH CHAUDHURI: I beg to move for leave to introduce a Bill to amend the Calcutta Municipal Acts, 1923.

The motion was put and agreed to.

The Secretary then read the short title of the Bill.

The Calcutta University Bill, 1927.

Babu MANMATHA NATH ROY: I ask for leave to introduce a Bill to amend the Indian Universities Act, 1904, so far as it applies to the University of Calcutta within the Presidency of Bengal.

I need not say anything more now; I have already explained my position. My aim is the reconstitution of the University.

The motion was put and agreed to.

The Secretary then read the short title of the Bill.

Babu MANMATHA NATH ROY: I also beg formally to move that the said Bill be referred to a Select Committee consisting of the Hon'ble Sir Provash Chunder Mitter, KT., C.I.E., the Hon'ble Nawab Musharruf Hosain, Khan Bahadur, Mr. J. H. Lindsay, Mr. E. F. Oaten, Dr. Sir Deva Prosad Sarbadhikari, KT., C.I.E., C.B.E., Mr. S. C. Bose (representing the Calcutta University), Dr. Bidhan Chandra Roy, Dr. Pramathanath Banerjea, Rai Harendranath Chaudhuri, Babu Jitendralal Banerjee, Sir Abd-ur-Rahim, K.C.S.I., Babu Bejoy Krishna Bose, Babu Akhil Chandra Datta, Maulvi Abul Kasem, Mr. Khwaja Nazimuddin, C.I.E., Kazi Emdadul Hoque, Mr. W. C. Wordworth and myself, with instructions to submit their report by the 15th February, 1928, and that the number of members whose presence shall be necessary to constitute a quorum shall be seven.

Mr. DEPUTY PRESIDENT: The President ruled that your motion would have the same fate as that of Dr. Banerjea's motion. The fate of this motion has been decided by the previous Bill being circulated for eliciting opinion thereon by the 15th February, 1928, so you are in order if you move that your Bill be also circulated for public opinion. You are not in order in accordance with the President's ruling if you move that your Bill be referred to a Select Committee.

Babu MANMATHA NATH ROY: The decision seems to be this, that I shall have to move the motion which stands in my name and then the Hon'ble Minister will move his amendment, but it does not hold good that the decision on Dr. Banerjea's motion will govern my motion. I take that to be correct procedure.

Mr. DEPUTY PRESIDENT: If I allow your motion as it stands and then allow the amendment I shall have to take votes again. The ruling of the President is that you shall have to abide by the fate of Dr. Banerjea's motion.

Mr. D. N. ROY: I distinctly asked the President whether there would be one voting on these two motions. He said that there would be two votings, but that there would not be two discussions on these two Bills.

Babu MANMATHA NATH ROY: Unless this motion is brought forward, how can the Bill be circulated for eliciting public opinion?

Mr. DEPUTY PRESIDENT: By your moving a motion at short notice to that effect under section 51.

6-45 P.M.

Mr. D. N. ROY: The motion of Babu Manmatha Nath Roy cannot be defeated, unless it is before the House. The motion must be moved and then you can declare that it is lost.

Mr. DEPUTY PRESIDENT: After all, the two Bills are identical in nature; so Babu Manmatha Nath Roy cannot put his motion to the vote, as the House has already decided that question in the case of Dr. Banerjea's Bill. Mr. Manmatha Nath Roy can only now move formally that the Bill be circulated for eliciting opinion by the 15th of February.

Babu MANMATHA NATH ROY: Sir, unless there is a motion before the House, there can be no question of division. What the President has said is that the fate of the two similar motions will be the same; that is the decision of the President. But the question of my motion does not arise unless and until it has been brought forward. So the proper procedure for me is to move it and for the Hon'ble Minister to present his amendment to my motion—but there will not be any discussion or any voting on it.

Maulvi ABUL KASEM: The two Bills are not identically the same and it will not be regular in our proceedings if simply after the introduction of the Bill, we take it for granted that it will be circulated for opinion. So I submit, Sir, that the mover of the Bill should move that the Bill be referred to a Select Committee and then the Hon'ble Minister should move his amendment that the Bill be circulated for eliciting opinion. As, however, the whole question has been discussed, there need be no discussion about it. For the regularity of the procedure, with due deference to the Chair, I submit that the procedure I have suggested, be adopted.

Maulvi TAMIZUDDIN KHAN: Babu Manmatha Nath Roy seems to be labouring under a misapprehension. The President's ruling is that he can move that the Bill be circulated for eliciting opinion and he can very well do so under Rule 51 (*c*). I do not see what difficulties he is labouring under.

Mr. BIJOY PRASAD SINGH ROY: I think the best course is to let Mr. Roy move his motion, and then if the amendment is accepted it will simplify matters.

Mr. DEPUTY PRESIDENT: If you refer to Rule 39 you will find that a motion must not raise a question substantially identical to one on which the Council has given a decision in the same session. My difficulty is that any motion for reference of the Bill to the Select Committee is out of order under that section as the House has already decided against that.

Babu MANMATHA NATH ROY: I submit that Rule 39 has no application at all to my motion.

Mr. DEPUTY PRESIDENT: Dr. Banerjea's Bill will be circulated, but your Bill will not be circulated, unless a motion is made and carried to that effect.

Babu JITENDRALAL BANNERJEE: I suggest, Sir, that the whole thing be left to the Secretary and he will put everything in proper form and everything will be all right.

Babu MANMATHA NATH ROY: The President when he occupied the Chair said that both the Bills will meet the same fate. Therefore the only conclusion is that if Dr. Banerjea's Bill be circulated for opinion, my Bill will also be circulated for opinion. I cannot claim to have a thorough command of the English language, but it is, I submit, the only possible conclusion of that ruling.

Babu BEJOY KRISHNA BOSE: Sir, only about a minute ago you said from the Chair that the Bill will be circulated for public opinion; but now you say that it will not be circulated.

Mr. DEPUTY PRESIDENT: If Mr. Roy moves the motion, then it will be circulated. Although I have given him permission, he has deliberately chosen not to do so. I cannot therefore allow him to take it for granted that his Bill will be circulated when he does not move the question formally.

Maulvi ABUL KASEM: With reference to your previous ruling that a motion cannot be moved on a substantially identical motion in the same session, I submit that it will not be in order for Mr. Roy to move now that the Bill be circulated for eliciting public opinion thereon.

Mr. DEPUTY PRESIDENT: There is a difference, I think. In this case it is a mere formality and follows the undertaking given by the President when Dr. Banerjea's Bill was being introduced.

Babu MANMATHA NATH ROY: In accordance with your direction, Sir, I beg to move that my Bill, which has been introduced, be circulated for eliciting public opinion by the 15th of February, 1928.

The motion that the Calcutta University Bill; 1927, of Babu Manmatha Nath Roy be circulated for eliciting public opinion by the 15th of February, 1928, was then put and agreed to.

Resolution

(on matters of general public interest).

Export duty on jute.

Babu AMARENDRA NATH CHOSE moved that this Council recommends to the Government to take necessary steps to approach the Government of India for securing the export duty on jute for the province of Bengal to be utilised for the purpose of agriculture and sanitary improvement of the province.

He spoke in Bengali, the English translation of which is as follows:

In connection with this resolution, will you please allow me, Sir, to say a few words on the several aspects of this question? This export duty on jute was levied at the instance of Sir William Myer, the then Finance Member of the Government of India, during the great war in 1916. It was then pointed out that this would be a temporary measure only to meet the high cost of administration resulting from the war; and in the year following there was made a further increase of the revenue by doubling this duty. Though at the inception it came as a temporary measure, it was never allowed to go. The war has come to an end, but the revenue from this source, amounting to about 3¾ crores of rupees, is still being appropriated by the Govenment of India. My proposal is to have this amount transferred to the Government of Bengal to be spent for the welfare of the people of this province.

Now, Sir, an objection may be raised on the ground that the Central Government cannot be run, if all the provinces show their reluctance to hand over or apportion the revenues realised within their geographical boundaries. It will be quite evident from a close analysis of the principles which would govern the mode of apportionment of the different sources of revenue between the Imperial Government and the local Government and of the special circumstances under which jute is produced and sold here, the reasons for my pressing the claims on this particular duty. The function of the Central Government seems to have been to take up only those measures which are equally necessary for all the provinces, but which cannot be undertaken by them individually. It will be only just and fair to make these expenses

meet from the sources which affect the interest of all equally. It is inequitable and unreasonable to deprive one province of its special resource.

Jute is a produce which is exclusively Bengal's own it is our monopoly; and Providence has made it such. It cannot be grown elsewhere in the world. Of course, it is true that jute is being produced in two or three other provinces in India, but it is so very small in quantity and so much inferior in quality, that it may be left out of account, for all practical purposes. It is a Providential gift, no doubt but very hard earned for all that. From its nature, it is very exacting in cultivation. The Bengali peasant has to stake his health, his wealth and his everything for this product alone. Before sowing, he has to labour hard even for the preparation of the soil. After sowing, weeding is a very tedious and arduous task. In the months of *Baisakh* and *Jaistha*, under the scorching rays of the sun, the Bengali cultivator is to be found in jute fields working from morning till nightfall. Then during *Sravan* and *Bhadra*, when on account of incessant rains and cloudy atmosphere even the beasts and birds scarcely leave their shelter and nest, the hard lot of the tillers of our soil drive them out to the fields to cut the jute plants which by this time become full-grown and fit for cutting.

After cutting comes the process of steeping. The plants are steeped in still water—in ditches, *dobas*, and pools. Flowing rivers and waterways are not fit for the purpose. They are kept under water till they become rotten, and thus the fibre can be easily stripped of when they are washed. This makes the water of the locality spoiled and nasty and helps the creation of nursing abodes for mosquitoes. Hence we witness the outbreak of cholera and malaria throughout *Kartik* and *Agrahayan*. The cultivator, in order to finish the whole thing, has to allow himself to get sunburnt and weather-bitten. But every action must have its reaction the irregularity and the overstraining which he has practised through the last few months, very naturally tell upon his health. He easily becomes a prey to malaria, pneumonia and other diseases and thereby his way to heaven rather becomes very smooth on account of the humanitarian work. I have the honour to represent the district which is the greatest jute-producing area in the province and as such I have the practical experience of the sufferings of the people engaged in jute cultivation. Now, Sir, if I demand the total export duty on jute on behalf of Bengal, it is because Bengal soil is the only soil where jute can be grown, it is because the Bengalis are the only people who are to suffer from it who are to meet with hardship, misery and even death for this. The handing over this particular revenue will only try to make an attempt towards the partial amelioration of the condition of Bengal peasants, who alone are responsible for the production of this wealth.

It is reported that in course of his last visit to Calcutta, the present Finance Member, Sir Basil Blackett, expressed an opinion that the duties on jute are not paid by the Bengalis but are paid by other people who purchase it for export. This is a misleading conclusion arrived at by the Hon'ble Finance Member. The money which is realised as the export duty on jute is really the hard-earned money of the cultivators. It is commonly observed that the seller of a particular commodity asks for his price, the buyer goes to him and offer something according to his convenience. The price in the long run is determined by the general law of demand and supply. But it is rather peculiarly unfortunate that our sellers have no voice in the jute market. They are to depend on the mercy of the foreign purchasers, who dictate terms. The purchasers here are more organised and are in a position to know previously the probable supply which, again, the Government of Bengal helps them by publishing the forecasts of jute from time to time. The unorganised, illiterate producers have no way to know what would be the demand. Again, they cannot utilise their raw materials. Hence is their dependence. In determining the price of jute the purchasers must take into account the export duty, and they would easily offer to the cultivators the price, after necessary deduction of the amount they will have to pay to the Government. This will be the state of things as long as the jute market is controlled by one party, viz., the buyers the Dundee consumers. It matters little whether the duty is paid by non-Bengalis or anybody else. It cannot be gainsaid that it has affected the cultivators and it will affect them still.

The Finance Member has threatened that the duty will be abolished altogether. But we know for certain that it will never be abolished. For it is our common experience that in India there can only be levying of taxes and no withdrawal of them.

Then what does the Government of India mean by this attitude of indifference? Does it think that the Bengal Government is very solvent? But there can be no difference of opinion as to the quite insufficient and inadequate funds at the disposal of the provincial Government.

Whenever the Bengal Government is approached for work of vital importance such as primary education, eradication of malaria and kalazar, destruction of water-hyacinth, introduction of scientific agriculture and cottage industry, etc., we are accustomed to hear the plea of want of funds.

In comparison with other provinces, the quantity of land, the revenue, the income tax and last but not the least the population, Bengal is not in any way less.

But to carry on the internal administration where the Punjab gets 11 crores and 13 lakhs, the United Provinces 13 crores, Bombay 15 crores and Madras 16½ crores, Bengal gets only 10 crores and 73 lakhs of rupees.

The Government of Bengal is unable to meet the just demands of the people for pecuniary embarrassments. My proposal is for the removal of the financial difficulties. May I, therefore, hope to get the full support of this House, including the official members?

If this resolution is accepted, there will be no necessity for additional taxation for the introduction of primary education and the destruction of water-hyacinth.

Maulvi TAMIZUDDIN KHAN: I formally move, by way of amendment, that in the motion of Babu Amarendra Nath Ghose, last two lines, *for* the words 'Agricultural and sanitary improvement of the province' the words 'free and compulsory primary education in the province' be substituted.

Mr. SYED MD. ATIQULLAH: I formally move, by way of amendment, that in the motion of Babu Amarendra Nath Ghose, last line, *after* the words 'sanitary improvement' the words 'and free primary education' be inserted

Babu NALINIRANJAN SARKER: In this question of the provincialisation of the jute export duty, the basic facts are so indisputable that even the representatives of the "white man's burden," I mean, the European group in the Council, and the Treasury Benches, are practically of one mind with the various other political groups. While our claims to financial relief are undeniable, I must say that the provincialisation of the jute export duty is dictated not only by financial considerations but also the undoubted requirements of the jute trade, both in its present stage as well as in its possible future developments.

As regards the claims to financial relief, irrefutable facts and figures can be adduced to prove conclusively that Bengal is not only paying her proper share, as she ought, to the costs of the Central Government but bears a disproportionately heavy burden of central taxation. On analysing the figures of the taxes raised in each province under the heads allocated to the Central Government you will find that Bengal is responsible for about 40 per cent. of the entire Central revenue and yields to the Government of India more than 75 per cent. of the revenue collected within her borders, as against the average of 60 per cent. yielded for all the provinces of India. On the basis of the figures of 1925-26 Bengal collects every year about Rs. 40 crores, of which less than 11 crores is left to minister to the needs f this most populous of Indian provinces, while the lion's share of 29

crores is swallowed to support an idle army with costly occasional recreation in the hunting grounds of Waziristan and other regions of the Frontier. It may be contended—and I admit with considerable force—that all the duties collected in Bengal are not paid by her people and that a portion of it may in fact be borne by others, as the ports of Chittagong and Calcutta serve a wider area than Bengal itself. If proper statistics were available, that is, if the actual consumption of salt, opium, etc., in each province could be ascertained, a proper survey of the true sources of these taxes could have been made. But the Department of Statistics, like other costly departments of Government, has not condescended to serve our real needs and no such accurate estimate has been deemed useful by the Central Government. Even the publication of the Inland Trade Returns, which could have enabled us to form a rough estimate, has been stopped since 1921. I refrain from going more deeply into the question of incidence of taxes just at present, as I am afraid it will only tire the patience of this House to present an array of figures which cannot be readily followed during the course of a speech in this House. I may, however, be pardoned for referring to the fact that I have considered the question in its various aspects in some of the contributions I have made to the local press.

I shall attempt here only to give you, Sir, a rough idea as to Bengal's real contribution after making due allowance to the dutiable goods consumed by adjacent provinces served by Bengal ports. As regards the Customs duties of 18·50 crores, there is no doubt that the jute export duty of more than 3½ crores is raised almost wholly in Bengal. Of the entire population served by the ports of Calcutta and Chittagong, 40 per cent. live within the borders of Bengal. But Bengal is a far greater consumer of cotton yarns and fabrics, foreign liquor, sugar and machinery than any other province. And it would be erring on the safe side if on account of this greater consumption we add 20 per cent. more to the credit of Bengal. It can be proved on the basis of the figures of the Inland Trade Returns of 1921 that 60 per cent. of the dutiable imports of Bengal are consumed within the province. On this calculation Bengal's share of Customs duties, excluding jute export duty, will come up roughly to 8½ crores. On the basis of population the burden of salt tax will be to the extent of 70 lakhs, *i.e.*, 40 per cent. of 1·71 crores, though according to the Administration Report of 1921-22 the consumption of salt has been calculated at 66 per cent. Regarding income tax, it was proved before the Meston Committee that about 90 per cent. of the income-tax collected in Bengal is paid solely by its people; so our share of the income-tax can be put at 5·35 crores. We have left out of consideration the incidence on the people of Bengal of some taxes collected in the other provinces. And I have also not taken into account the contribution of Bengal to the profits from Railways, Posts and Telegraphs. Thus at a most modest estimate,

Bengal's real contribution to the Central Exchequer cannot be put at less than 18 crores on these heads alone. I make bold to assert, Sir, that whatever method of calculation may be adopted, the more deeply we probe into this question the more thoroughly shall we be satisfied that, in point of provincial contribution to the Central Government, Bengal bears an unduly heavy burden, out of all proportion to that borne by any of her sister provinces.

Even taking into consideration the residual resources of the respective provinces, which was the guiding principle of the Meston Settlement, Bengal has not been fairly dealt with, as with a population of 50 lakhs less than ours, Madras has 4 crores more spending power and Bombay has a spending power of 4·50 crores in excess of ours with but half the population of this province.

In this connection the Government of India have since the time of the Meston Award, been making a great point of their financial strain. But they can no longer urge that reason, as the deficit of 23½ crores which obtained in those days was turned in the year 1923-24 into a substantial surplus of 2 crores, which rose to over 3 crores in 1925-26. If it is urged that the resources of the Government of India may be inadequate to meet their own requirements on the present basis, I should point out that, unlike the items of revenue assigned to provinces, the revenues of the Central Government are capable of expansion. I must also point to another source of income which lies untapped, a circumstance that constitutes a grave injustice to other classes of people in India. I refer to the exemption of certain classes from income-tax. In fairness to all parties concerned the Government should seek to raise further revenue by altering the Income Tax Act so as to bring certain groups of European Companies and individuals now exempted, and certain other classes of income mentioned by the Taxation Inquiry Committee, within the scope of the Income Tax Act. The loss of revenue on this account is estimated at 5 crores, which sum will be more than sufficient for any possible rise in the requirements of the Central Government.

But the more serious objection levelled by the Finance Member of the Government of India against our claim to the *jute export duty* is that, jute being a monopoly product, a tax on that commodity is easily shifted to the foreign consumer and therefore properly appertains to the Central Government. This is a common economic fallacy which is surprising only when it comes from such well-read and well-informed sources as the present Finance Member of the Government of India. The incidence of taxation is indeed the last subject for facile assertions of this kind, especially as all laws of economics are mere statements of tendencies, which in the actual condition of the day to day market are counteracted by various other forces. Professor Taussig has shown that the notions commonly entertained, even amongst scholars about the advantages of the monopoly product, are highly exaggerated and

are far removed from actual facts. No commodity can be an absolute monopoly and jute clearly is not so, inasmuch as a rise of its price beyond a certain limit would result in its displacement by inferior substitutes. The distinguishing characteristics of a monopoly are single-handed control of the entire supply, which implies full power to dictate the price to the consumer and absolute inelasticity of demand, which implies the helplessness of the buyer. But, as a matter of fact, jute is bought by a monopolist buyer at his own price from a needy peasantry who have no staying power or other means of evading or escaping from any tax thrown on them. The buyer fixes the export price, keeping in view the possibility of competition with an inferior substitute, or the avoidance of jute bags by resort to bulk handling. He fears the astute, enterprising and educated foreign importer more than the needy, ignorant Indian producer. To encourage the foreign importer to use jute and to keep him away from resort to bulk handling or other substitutes, he naturally throws the tax through the middlemen on the shoulders of the dumb producer. Besides, price under monopoly condition cannot be obtained, due to the fact that in their anxiety to sell jute as early as possible the jute growers compete with each other.

The provincialisation of the jute export duty cannot be opposed on this ground. In fact, it is a very suitable head of revenue for provincialisation. Being concentrated in one place, the incidence of a tax on the export of jute is easy to trace and it should not be classed with other tariff revenues. It is clearly a source of differential taxation to her people as compared with the people of other provinces.

I have said that besides the proper adjustment of the provincial tax burdens there are other grounds which render imperative the transference of the jute export duty to Bengal. Jute is the mainstay not only of the peasantry of Bengal but also of our middle classes. The welfare of the whole province is thus inextricably bound up with the prosperity of this trade. In regard to cultivation there has been for various reasons a marked deterioration in the quality of the fibre. In their evidence before the Linlithgow Commission, both the London Jute Association and the Dundee Jute Importers' Association have drawn pointed attention to this fact and have charged the Government of India in unequivocal terms with an indifference amounting to culpable homicide in regard to these industries. They have cited the case of the Bengal linseed, the silk trade, shellac and indigo to show that the Government have, by their apathy, killed these industries. Even where they did interfere their interference was too late. It is obviously impossible for the Central Government to devote its attention to a subject of such clearly local interest. Industries and Agriculture are provincial subjects. It is therefore both reasonable and expedient that the benefit of this trade should go to the authority which is in a position to take steps for its progressive improvement.

There is one more point which I would press on the attention of the House. Even when the whole of the export duty on jute is made over to the provincial Government the Central Government would still continue to derive a not inconsiderable benefit from the jute trade of this province, for the profits made in the jute trade by the large number of manufacturers and middlemen enter largely into the income tax paid from this province into the coffers of the Central Government. It cannot be maintained therefore that provincialising would mean keeping all the benefits of this great industry to ourselves. I can conceive of no reasonable argument either for denying or delaying this measure of belated justice to a province that has so long been groaning under an unreasonable and heavy financial burden.

7-20 P.M.

The Hon'ble Mr. A. MARR: I take it that the ultimate aim of the movers of these resolutions and amendments is to bring more money to Bengal independent of the question of how it is to be spent. With that aim, I am sure, everyone in this House will be in full agreement, and Government are prepared to accept these resolutions on the ground that in so far as they imply the necessity for a revision of the Meston Settlement, they represent the views of this Government. At the same time I wish to make it perfectly clear that Government consider it a mistake for the Council to commit themselves to the exact method by which the revision should be effected, or to the manner in which the increased revenue should be spent.

At the very earliest stages of the inquiry by the Meston Committee, the question of the export tax on jute arose. The Meston Committee at the outset were prepared to accept without further inquiry the formula that all Customs duties should be Central, on the ground that it was impossible to trace the duties back to source or to make a proper allocation between provinces. We pointed out, however, that this dictum certainly did not apply to the export duty on jute, which at that time was about 2¾ crores. Since then, I may mention it has risen to 3¾ crores. While drawing the attention of the Meston Committee to this fact, the Government of Bengal based their claim on this ground not on the fact that the export duty on jute should be made over to them but that this factor should be taken into account in arriving at the final financial settlement, on the ground that the export duty on jute encroached on the taxable capacity of the province. We argued that, if the Central Government had not imposed this duty, it might have been open to the local Government to do so in the shape of an excise duty or in some other way. As all members of this House know, however, this factor was not taken into account in the Meston Settlement. During the subsequent years the Government of Bengal have made repeated protests against the Meston Settlement and have

persistently adopted the attitude that nothing less than a thorough revision of that Settlement will afford adequate justice to Bengal, and we have pressed for the revision of that settlement at the earliest possible moment. We maintained this attitude so recently as October of last year, and we propose to reiterate our position in this matter to the Government of India in the near future. At the same time, we have always refrained from suggesting the exact manner in which the Meston Settlement should be revised: and I would suggest to the members of this House that that attitude is sound. The movers of the resolutions ask us to commit ourselves definitely to a demand for the export tax on jute. If we were to do this, we might commit ourselves too definitely and make the area of revision of the financial settlement as a whole too limited.

After the Meston Committee had submitted their report, it was realised that Bengal had suffered in the settlement, and, as a result of a recommendation in favour of Bengal, Devolution Rule No. 15 was evolved. That rule was framed definitely and intentionally to benefit Bombay and Bengal and purported to allot a certain share in the income tax of the provinces. It is admitted now that Devolution Rule No. 15 has completely failed in its object, and that it has benefited every other province, except Bombay and Bengal. There is a growing feeling, therefore, that possibly the best method of revising the Settlement will be by giving the provinces a larger share in the income tax collections of the province. It is for this reason that I deprecate this House committing itself definitely to the export tax on jute and perhaps excluding some other solution.

It is true that the Taxation Inquiry Committee mentioned export duties as one of the balancing factors which might be used to balance the allocation of revenues between Central and Provincial Governments, but at the same time they said that export duties should be used only in the last resort. It is for these reasons that I wish to make it quite clear that Government accept these resolutions only on the ground that in so far as they imply the necessity for a revision of the Meston Settlement, they represent the views of this Government; but that Government are not prepared to commit themselves to the exact method by which the revision should be effected.

Nor are Government prepared to commit themselves to the manner in which the increased revenue, if and when received, shall be spent. The resolutions themselves, taken with the two amendments, show the danger of attempting to earmark the increased revenue—the resolutions want the proceeds to be spent on agricultural and sanitary improvements, while one amendment wants free and compulsory education and the other, which has not been moved, agricultural and sanitary improvements and free primary education. In most cases it is unsound

finance to earmark any portion of the general revenues for any particular purpose, and I would suggest to the movers of the resolutions and amendments that these portions of the resolutions may be omitted.

Rai HARENDRANATH CHAUDHURI: May I inquire how a share of the income tax can be greater than the whole proceeds of the export duty on jute?

The Hon'ble Mr. A. MARR: I don't think there is any chance at all of getting the whole of the export duty on jute. I hold that even if the Government of India were prepared to accept the principle that Customs duty on jute should be divided (which I doubt) we would not gain much, whereas, I think, there is some hope of getting a share of the income tax which might bring in something.

Babu MANMATHA NATH ROY: Will the Hon'ble Member be pleased to inform the House whether there is any likelihood of the Meston Settlement being revised otherwise than by the remission of the jute export duty.

The Hon'ble Mr. A. MARR: Of course it is very difficult for me to express any opinion on that point, but this Government will press strongly and very strongly indeed for the whole Meston Settlement being revised, but they do not want to commit themselves as to its solution. We must either ask for the export duty on jute or a share of the income tax.

(A voice: Or a share in both.)

The whole Meston Settlement is going to the melting-pot again.

Dr. BIDHAN CHANDRA ROY: Will the Hon'ble Member tell us whether he does not believe that when we ask for the full moon we may get only half.

The Hon'ble Mr. A. MARR: I am sure that when the time comes the Bengal Government will ask for the full moon.

Dr. KUMUD SANKAR RAY: Will the Hon'ble Member be pleased to assure the House that the amount will be spent mainly on the transferred departments?

Mr. DEPUTY PRESIDENT: The Hon'ble Mr. Marr says that Government are prepared to accept the resolution if the words "to be utilised for the purpose of agriculture and sanitary improvement of the province" are omitted.

Babu AMARENDRA NATH GHOSH: I do not accept the proposal of the Hon'ble Mr. Marr.

The resolution was then put in the following amended form and agreed to:—

"This Council recommends to the Government to take necessary steps to approach the Government of India for securing the proceeds of the export duty on jute for the province of Bengal to be utilised for the purpose of agriculture and sanitary improvement and free compulsory primary education in the province."

The motion of Maulvi Tamizuddin Khan was deemed to be withdrawn.

Prorogation.

Mr. DEPUTY PRESIDENT: I have it in command from His Excellency the Governor to announce that the Bengal Legislative Council stands prorogued.

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